

CHAPTER NO. 320.

HOUSE BILL NO. 463

INTRODUCED BY GOULD, METCALF, COONEY, HEMSTAD,
BENNETT, H. ROBBINS

IN THE HOUSE

January 30, 1979	Introduced and referred to Committee on Human Services.
February 12, 1979	Committee recommend bill do pass. Report adopted.
February 13, 1979	Second reading, do pass.
February 14, 1979	Considered correctly engrossed.
February 15, 1979	On motion taken from third reading and referred to second reading for the 39th Legislative Day.
February 16, 1979	On motion, postponed until 40th Legislative Day.
February 17, 1979	Second reading, do pass as amended.
February 19, 1979	Correctly engrossed.
February 20, 1979	Third reading, passed. Transmitted to second house.

IN THE SENATE

February 21, 1979	Introduced and referred to Committee on Public Health, Welfare, and Safety.
March 10, 1979	Committee recommend bill be concurring in. Report adopted.
March 13, 1979	Second reading, concurring in.
March 16, 1979	Third reading, concurring in.

IN THE HOUSE

March 17, 1979

Returned from second house.
Concurred in. Sent to
enrolling.

Reported correctly enrolled.

1 *House* BILL NO. *463*
 2 INTRODUCED BY *John McKeefry* *Conny Santal*
 3 *Ronith Holbin*

4 A BILL FOR AN ACT ENTITLED: "AN ACT RELATING TO DANGEROUS
 5 DRUGS; TRANSFERRING TETRAHYDROCANNABINOLS (THC) FROM
 6 SCHEDULE I TO SCHEDULE III TO ALLOW PRESCRIPTIVE USE OF SUCH
 7 MATERIALS WITHIN FEDERAL AUTHORIZATION; DELETING MARIJUANA
 8 FROM SCHEDULE I; AMENDING SECTIONS 50-32-222 AND 50-32-226,
 9 MCA."

10
 11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

12 Section 1. Section 50-32-222, MCA, is amended to read:

13 "50-32-222. Specific dangerous drugs included in
 14 Schedule I. The dangerous drugs listed in this section are
 15 included in Schedule I:

16 (1) any of the following opiates, including their
 17 isomers, esters, ethers, salts, and salts of isomers,
 18 esters, and ethers, unless specifically excepted, whenever
 19 the existence of these isomers, esters, ethers, and salts is
 20 possible within the specific chemical designation:
 21 acetylmethadol, allylprodine, alphacetylmethadol,
 22 alphameprodine, alphamethadol, benzethidine,
 23 betacetylmethadol, betameprodine, betamethadol, betaprodine,
 24 clonitazene, dextromoramide, dextrorphan, diampromide,
 25 diethylthiambutene, dimenoxadol, dimpheptanol,

1 dimethylthiambutene, dioxaphetyl butyrate, dipipanone,
 2 ethylmethylthiambutene, etonitazene, etoxeridine,
 3 furethidine, hydroxypethidine, ketobemidone, levomoramide,
 4 levophenacylmorphan, morpheridine, noracymethadol,
 5 norlevorphanol, normethadone, norpipanone, phenadoxone,
 6 phenampromide, phenomorphan, phenoperidine, piritramide,
 7 proheptazine, properidine, racemoramide, and trimeperidine;

8 (2) any of the following opium derivatives, their
 9 salts, isomers, and salts of isomers, unless specifically
 10 excepted, whenever the existence of these salts, isomers,
 11 and salts of isomers is possible within the specific
 12 chemical designation: acetorphine, acetyldihydrocodeine,
 13 benzylmorphine, codeine methylbromide, codeine-n-oxide,
 14 cyrenorphine, desomorphine, dihydromorphine, etorphine,
 15 heroin, hydromorphinol, methyl-desorphine,
 16 methylhydromorphine, morphine methylbromide, morphine
 17 methylsulfonate, morphine-n-oxide, myrophine, nicocodeine,
 18 nicomorphine, normorphine, phocloidine, and thebacon;

19 (3) any material, compound, mixture, or preparation
 20 which contains any quantity of the following hallucinogenic
 21 drugs, their salts, isomers, and salts of isomers, unless
 22 specifically excepted, whenever the existence of these
 23 salts, isomers, and salts of isomers is possible within the
 24 specific chemical designation: 3, 4-methylenedioxy
 25 amphetamine, 5-methoxy-3, 4-methylenedioxy amphetamine, 3,

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-2- *HB 463*

1 4, 5-trimethoxy amphetamine, bufotenine, diethyltryptamine,
 2 dimethyltryptamine, 4-methyl 1-2, 5-dimethoxyamphetamine,
 3 ibogaine, lysergic acid diethylamide, mephedrone, mescaline,
 4 peyote, n-ethyl-3-piperidyl benzilate, n-methyl-3-piperidyl
 5 benzilate, psilocybin, psilocyn, tetrahydrocannabinol, and
 6 2, 5-dimethoxyamphetamine."

7 Section 2. Section 50-32-226, MCA, is amended to read:

8 "50-32-226. Specific dangerous drugs included in
 9 Schedule III. The dangerous drugs listed in this section are
 10 included in Schedule III:

11 (1) unless listed in another schedule, any material,
 12 compound, mixture, or preparation which contains any
 13 quantity of the following drugs having a potential for abuse
 14 associated with a depressant effect on the central nervous
 15 system:

16 (a) any drug which contains any quantity of a
 17 derivative of barbituric acid or any salt of a derivative of
 18 barbituric acid, except those drugs which are specifically
 19 listed in other schedules;

20 (b) chlorhexadol;

21 (c) glutethimide;

22 (d) lysergic acid;

23 (e) lysergic acid amide;

24 (f) methyprylon;

25 (g) phencyclidine;

1 (h) sulfondiethylmethane;

2 (i) sulfonethylmethane; and

3 (j) sulfonmethane;

4 (2) nalorphine;

5 (3) any material, compound, mixture, or preparation
 6 containing limited quantities of any of the following
 7 narcotic drugs or any salts thereof:

8 (a) not more than 1.8 grams of codeine or any of its
 9 salts per 100 milliliters or not more than 90 milligrams per
 10 dosage unit, with an equal or greater quantity of an
 11 isoquinoline alkaloid of opium;

12 (b) not more than 1.8 grams of codeine or any of its
 13 salts per 100 milliliters or not more than 90 milligrams per
 14 dosage unit, with one or more active, nonnarcotic
 15 ingredients in recognized therapeutic amounts;

16 (c) not more than 300 milligrams of dihydrocodeinone
 17 or any of its salts per 100 milliliters or not more than 15
 18 milligrams per dosage unit, with a fourfold or greater
 19 quantity of an isoquinoline alkaloid of opium;

20 (d) not more than 300 milligrams of dihydrocodeinone
 21 or any of its salts per 100 milliliters or not more than 15
 22 milligrams per dosage unit, with one or more active,
 23 nonnarcotic ingredients in recognized therapeutic amounts;

24 (e) not more than 1.8 grams of dihydrocodeine or any
 25 of its salts per 100 milliliters or not more than 90

1 milligrams per dosage unit, with one or more active,
2 nonnarcotic ingredients in recognized therapeutic amounts;

3 (f) not more than 300 milligrams of ethylmorphine or
4 any of its salts per 100 milliliters or not more than 15
5 milligrams per dosage unit, with one or more ingredients in
6 recognized therapeutic amounts;

7 (g) not more than 500 milligrams of opium per 100
8 milliliters or per 100 grams, or not more than 25 milligrams
9 per dosage unit, with one or more active, nonnarcotic
10 ingredients in recognized therapeutic amounts; or

11 (h) not more than 50 milligrams of morphine or any of
12 its salts per 100 milliliters or per 100 grams with one or
13 more active, nonnarcotic ingredients in recognized
14 therapeutic amounts;

15 ~~(4) any material, compound, mixture, or preparation~~
16 ~~containing any tetrahydrocannabinols to the extent~~
17 ~~authorized by federal regulations when administered or~~
18 ~~recommended by a licensed practitioner acting in the course~~
19 ~~of a professional practice."~~

-End-

1
 2 INTRODUCED BY House BILL NO. 463
 3 State Metcalfe Conroy Levental
 4 Diemitt H. Rollin

5 A BILL FOR AN ACT ENTITLED: "AN ACT RELATING TO DANGEROUS
 6 DRUGS; TRANSFERRING TETRAHYDROCANNABINDLS (THC) FROM
 7 SCHEDULE I TO SCHEDULE III TO ALLOW PRESCRIPTIVE USE OF SUCH
 8 MATERIALS WITHIN FEDERAL AUTHORIZATION; DELETING MARIHUANA
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 18 esters, and ethers, unless specifically excepted, whenever
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 20 possible within the specific chemical designation:
 21 acetylmethadol, allylprodine, alphacetylmethadol,
 22 alphameprodine, alphamethadol, benzethidine,
 23 betacetylmethadol, betameprodine, betamethadol, betaprodine,
 24 clonitazene, dextromoramide, dextrorphan, diampromide,
 25 diethylthiambutene, dimenoxadol, dimepheptanol,

1 dimethylthiambutene, dioxaphetyl butyrate, dipipanone,
 2 ethylmethylthiambutene, etonitazene, etoxeridine,
 3 furethidine, hydroxypethidine, ketobemidone, levomoramide,
 4 levophenacylmorphan, morpheridine, noracymethadol,
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 6 phenampromide, phenomorphan, phenoperidine, piritramide,
 7 proheptazine, properidine, racemoramide, and trimeperidine;

8 (2) any of the following opium derivatives, their
 9 salts, isomers, and salts of isomers, unless specifically
 10 excepted, whenever the existence of these salts, isomers,
 11 and salts of isomers is possible within the specific
 12 chemical designation: acetorphine, acetyldihydrocodeine,
 13 benzylmorphine, codeine methylbromide, codeine-n-oxide,
 14 cyrenorphine, desomorphine, dihydromorphine, etorphine,
 15 heroin, hydromorphinol, methyl-desorphine,
 16 methyldihydromorphine, morphine methylbromide, morphine
 17 methylsulfonate, morphine-n-oxide, nyrophine, nicocodeine,
 18 nicomorphine, normorphine, phoclodine, and thebacon;

19 (3) any material, compound, mixture, or preparation
 20 which contains any quantity of the following hallucinogenic
 21 drugs, their salts, isomers, and salts of isomers, unless
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 25 amphetamine, 5-methoxy-3, 4-methylenedioxy amphetamine, 3,

-2-
 HB 463
 THIRD READING

1 4, 5-trimethoxy amphetamine, bufotenine, diethyltryptamine,
 2 dimethyltryptamine, 4-methyl 1-2, 5-dimethoxyamphetamine,
 3 ibogaine, lysergic acid diethylamide, ~~methuene~~, mescaline,
 4 peyote, n-ethyl-3-piperidyl benzilate, n-methyl-3-piperidyl
 5 benzilate, psilocybin, psilocyn, tetrahydrocannabinol, and
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16 (a) any drug which contains any quantity of a
 17 derivative of barbituric acid or any salt of a derivative of
 18 barbituric acid, except those drugs which are specifically
 19 listed in other schedules;

20 (b) chlorhexadol;

21 (c) glutethimide;

22 (d) lysergic acid;

23 (e) lysergic acid amide;

24 (f) methyprylon;

25 (g) phencyclidine;

1 (h) sulfondiethylmethane;
 2 (i) sulfonethylmethane; and
 3 (j) sulfonmethane;
 4 (2) nalorphine;
 5 (3) any material, compound, mixture, or preparation
 6 containing limited quantities of any of the following
 7 narcotic drugs or any salts thereof:

8 (a) not more than 1.8 grams of codeine or any of its
 9 salts per 100 milliliters or not more than 90 milligrams per
 10 dosage unit, with an equal or greater quantity of an
 11 isoquinoline alkaloid of opium;

12 (b) not more than 1.8 grams of codeine or any of its
 13 salts per 100 milliliters or not more than 90 milligrams per
 14 dosage unit, with one or more active, nonnarcotic
 15 ingredients in recognized therapeutic amounts;

16 (c) not more than 300 milligrams of dihydrocodeinone
 17 or any of its salts per 100 milliliters or not more than 15
 18 milligrams per dosage unit, with a fourfold or greater
 19 quantity of an isoquinoline alkaloid of opium;

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 21 or any of its salts per 100 milliliters or not more than 15
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24 (e) not more than 1.8 grams of dihydrocodeine or any
 25 of its salts per 100 milliliters or not more than 90

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1 milligrams per dosage unit, with one or more active,
2 nonnarcotic ingredients in recognized therapeutic amounts;

3 (f) not more than 300 milligrams of ethylmorphine or
4 any of its salts per 100 milliliters or not more than 15
5 milligrams per dosage unit, with one or more ingredients in
6 recognized therapeutic amounts;

7 (g) not more than 500 milligrams of opium per 100
8 milliliters or per 100 grams, or not more than 25 milligrams
9 per dosage unit, with one or more active, nonnarcotic
10 ingredients in recognized therapeutic amounts; or

11 (h) not more than 50 milligrams of morphine or any of
12 its salts per 100 milliliters or per 100 grams with one or
13 more active, nonnarcotic ingredients in recognized
14 therapeutic amounts;

15 ~~(i) any material, compound, mixture, or preparation~~
16 ~~containing any tetrahydrocannabinols to the extent~~
17 ~~authorized by federal regulations when administered or~~
18 ~~recommended by a licensed practitioner acting in the course~~
19 ~~of a professional practice."~~

-End-

HOUSE BILL NO. 463

INTRODUCED BY GOULD, METCALF, COONEY, HEMSTAD,

BENNETT, H. ROBBINS

A BILL FOR AN ACT ENTITLED: "AN ACT RELATING TO DANGEROUS
DRUGS; TRANSFERRING---TETRAHYDROCANNABINOIDS---(THE)---FROM
SCHEDULE I TO SCHEDULE III TO ALLOW PRESERPTIVE USE OF SUCH
MATERIALS WITHIN FEDERAL AUTHORIZATION--DELETING--MARIJUANA
FROM--SCHEDULE I; AMENDING SECTIONS 50-32-222 AND 50-32-226,
MCA."

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

Section 1. Section 50-32-222, MCA, is amended to read:

"50-32-222. Specific dangerous drugs included in
Schedule I. The dangerous drugs listed in this section are
included in Schedule I:

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isomers, esters, ethers, salts, and salts of isomers,
esters, and ethers, unless specifically excepted, whenever
the existence of these isomers, esters, ethers, and salts is
possible within the specific chemical designation:
acetylmeadol, allylprodine, alphacetylmeadol,
alphameprodine, alphameadol, benzethidine,
betacetylmeadol, betameprodine, betameadol, betaprodine,
clonitazene, dextromoramide, dextrorphan, diampromide,

diethylthiambutene, dimenoxadol, dipeptanol,
dimethylthiambutene, dioxaphetyl butyrate, dipipanone,
ethylmethylthiambutene, etonitazene, etoxeridine,
furethidine, hydroxypethidine, ketobemidone, levomoramide,
levophenacylmorphane, morpheridine, noracymethadol,
norlevorphanol, normethadone, norpipanone, phenadoxone,
phenampromide, phenomorphan, phenoperidine, piritramide,
proheptazine, properidine, racemoramide, and trimeperidine;

(2) any of the following opium derivatives, their
salts, isomers, and salts of isomers, unless specifically
excepted, whenever the existence of these salts, isomers,
and salts of isomers is possible within the specific
chemical designation: acetorphine, acetyldihydrocodeine,
benzylmorphine, codeine methylbromide, codeine-n-oxide,
cyprenorphine, desomorphine, dihydromorphine, etorphine,
heroin, hydromorphanol, methyl-desorphine,
methyldihydromorphine, morphine methylbromide, morphine
methylsulfonate, morphine-n-oxide, myrophine, nicocodeine,
nicomorphine, normorphine, phoclodine, and thebacon;

(3) any material, compound, mixture, or preparation
which contains any quantity of the following hallucinogenic
drugs, their salts, isomers, and salts of isomers, unless
specifically excepted, whenever the existence of these
salts, isomers, and salts of isomers is possible within the
specific chemical designation: 3, 4-methylenedioxy

1 amphetamine, 5-methoxy-3, 4-methylenedioxy amphetamine, 3,
 2 4, 5-trimethoxy amphetamine, bufotenine, diethyltryptamine,
 3 dimethyltryptamine, 4-methyl 1-2, 5-dimethoxyamphetamine,
 4 ibogaine, lysergic acid diethylamide, marihuana, MARIJUANA,
 5 mescaline, peyote, n-ethyl-3-piperidyl benzilate,
 6 n-methyl-3-piperidyl benzilate, psilocybin, psilocyn,
 7 tetrahydrocannabinol, TETRAHYDROCANNABINOLS, and 2,
 8 5-dimethoxyamphetamine. IF PRESCRIPTION OR ADMINISTRATION
 9 IS AUTHORIZED BY THE FEDERAL FOOD, DRUG AND COSMETIC ACT,
 10 THEN ANY MATERIAL, COMPOUND, MIXTURE, OR PREPARATION
 11 CONTAINING TETRAHYDROCANNABINOLS SHALL AUTOMATICALLY BE
 12 RESCHEMULED FROM SCHEDULE I TO SCHEDULE II."

13 Section 2v--Section 50-32-226v-NEA- is amended to read:
 14 "50-32-226v--Specific--dangerous--drugs---included---in
 15 Schedule--iii---The--dangerous--drugs--listed--in--this--section
 16 are--included--in--Schedule--iii:

17 (i)--unless--listed--in--another--schedule--any--material,
 18 compound,--mixture,--or--preparation--which--contains--any
 19 quantity--of--the--following--drugs--having--a--potential--for--abuse
 20 associated--with--a--depressant--effect--on--the--central--nervous
 21 system:

22 (e)--any--drug--which--contains--any--quantity--of--a
 23 derivative--of--barbituric--acid--or--any--salt--of--a--derivative--of
 24 barbituric--acid--except--those--drugs--which--are--specifically
 25 listed--in--other--schedules:

1 (b)--chlorhexadol
 2 (c)--glutethimide
 3 (d)--lysergic--acid
 4 (e)--lysergic--acid--amide
 5 (f)--methyprylon
 6 (g)--phencyclidine
 7 (h)--sulfondiethylmethane
 8 (i)--sulfonethylmethane--and
 9 (j)--sulfonmethane
 10 (k)--norpine
 11 (l)--any--material,--compound,--mixture,--or--preparation
 12 containing--limited--quantities--of--any--of--the--following
 13 narcotic--drugs--or--any--salts--thereof:
 14 (a)--not--more--than--100--grams--of--codeine--or--any--of--its
 15 salts--per--100--milliliters--or--not--more--than--90--milligrams--per
 16 dosage--unit--with--an--equal--or--greater--quantity--of--an
 17 isoquinoline--alkaloid--of--opium
 18 (b)--not--more--than--100--grams--of--codeine--or--any--of--its
 19 salts--per--100--milliliters--or--not--more--than--90--milligrams--per
 20 dosage--unit--with--one--or--more--active,--nonnarcotic
 21 ingredients--in--recognized--therapeutic--amounts
 22 (c)--not--more--than--300--milligrams--of--dihydrocodeinone
 23 or--any--of--its--salts--per--100--milliliters--or--not--more--than--15
 24 milligrams--per--dosage--unit--with--a--fourfold--or--greater
 25 quantity--of--an--isoquinoline--alkaloid--of--opium

1 (d) ~~--not more than 300 milligrams of-- dihydrocodeinone~~
2 ~~or--any of its salts per 100 milliliters or not more than 15~~
3 ~~milligrams per dosage unity with one or more active~~
4 ~~nonnarcotic ingredients in recognized therapeutic amounts;~~

5 (e) ~~--not more than 16 grams of dihydrocodeine or-- any~~
6 ~~of its salts per 100 milliliters or not more than 90~~
7 ~~milligrams per dosage unity with one or more active~~
8 ~~nonnarcotic ingredients in recognized therapeutic amounts;~~

9 (f) ~~--not more than 300 milligrams of-- ethylmorphine or~~
10 ~~any of its salts per 100 milliliters or not more than 15~~
11 ~~milligrams per dosage unity with one or more ingredients in~~
12 ~~recognized therapeutic amounts;~~

13 (g) ~~--not more than 500 milligrams of opium per 100~~
14 ~~milliliters or per 100 grams or not more than 25 milligrams~~
15 ~~per dosage unity with one or more active nonnarcotic~~
16 ~~ingredients in recognized therapeutic amounts; or~~

17 (h) ~~--not more than 50 milligrams of morphine or any of~~
18 ~~its salts per 100 milliliters or per 100 grams with one or~~
19 ~~more active nonnarcotic ingredients in recognized~~
20 ~~therapeutic amounts;~~

21 (i) ~~--any material, compound, mixture, or preparation~~
22 ~~containing any tetrahydrocannabinols to the extent~~
23 ~~authorized by federal regulations when administered or~~
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25 ~~of a professional practice."~~

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BENNETT, H. ROBBINS

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March 17, 1979

Returned from second house.
Concurred in. Sent to
enrolling.

Reported correctly enrolled.

1 *PHAYNE* BILL NO. *463*
 2 INTRODUCED BY *John Metcalf* *Conny Arental*
 3 *Ronnie H. Rolbin*

4 A BILL FOR AN ACT ENTITLED: "AN ACT RELATING TO DANGEROUS
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1 dimethylthiambutene, dioxaphetyl butyrate, dipipanone,
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 6 phenampromide, phenomorphan, phenoperidine, piritramide,
 7 proheptazine, properidine, racemoramide, and trimeperidine;

8 (2) any of the following opium derivatives, their
 9 salts, isomers, and salts of isomers, unless specifically
 10 excepted, whenever the existence of these salts, isomers,
 11 and salts of isomers is possible within the specific
 12 chemical designation: acetorphine, acetyldihydrocodeine,
 13 benzylmorphine, codeine methylbromide, codeine-n-oxide,
 14 cyrenorphine, desomorphine, dihydromorphine, etorphine,
 15 heroin, hydromorphinol, methyl-desorphine,
 16 methyldihydromorphine, morphine methylbromide, morphine
 17 methylsulfonate, morphine-n-oxide, nyrophine, nicocodeine,
 18 nicomorphine, normorphine, phocloidine, and thebacon;

19 (3) any material, compound, mixture, or preparation
 20 which contains any quantity of the following hallucinogenic
 21 drugs, their salts, isomers, and salts of isomers, unless
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 25 amphetamine, 5-methoxy-3, 4-methylenedioxy amphetamine, 3,

INTRODUCED BILL

-2- *HB 463*

1 4, 5-trimethoxy amphetamine, bufotenine, diethyltryptamine,
 2 dimethyltryptamine, 4-methyl 1-2, 5-dimethoxyamphetamine,
 3 ibogaine, lysergic acid diethylamide, mephedrone, mescaline,
 4 peyote, n-ethyl-3-piperidyl benzilate, n-methyl-3-piperidyl
 5 benzilate, psilocybin, psilocyn, tetrahydrocannabinol and
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 13 quantity of the following drugs having a potential for abuse
 14 associated with a depressant effect on the central nervous
 15 system:

16 (a) any drug which contains any quantity of a
 17 derivative of barbituric acid or any salt of a derivative of
 18 barbituric acid, except those drugs which are specifically
 19 listed in other schedules;

20 (b) chlorhexadol;

21 (c) glutethimide;

22 (d) lysergic acid;

23 (e) lysergic acid amide;

24 (f) methyprylon;

25 (g) phencyclidine;

1 (h) sulfondiethylmethane;

2 (i) sulfonethylmethane; and

3 (j) sulfonmethane;

4 (2) nalorphine;

5 (3) any material, compound, mixture, or preparation
 6 containing limited quantities of any of the following
 7 narcotic drugs or any salts thereof:

8 (a) not more than 1.8 grams of codeine or any of its
 9 salts per 100 milliliters or not more than 90 milligrams per
 10 dosage unit, with an equal or greater quantity of an
 11 isoquinoline alkaloid of opium;

12 (b) not more than 1.8 grams of codeine or any of its
 13 salts per 100 milliliters or not more than 90 milligrams per
 14 dosage unit, with one or more active, nonnarcotic
 15 ingredients in recognized therapeutic amounts;

16 (c) not more than 300 milligrams of dihydrocodeinone
 17 or any of its salts per 100 milliliters or not more than 15
 18 milligrams per dosage unit, with a fourfold or greater
 19 quantity of an isoquinoline alkaloid of opium;

20 (d) not more than 300 milligrams of dihydrocodeinone
 21 or any of its salts per 100 milliliters or not more than 15
 22 milligrams per dosage unit, with one or more active,
 23 nonnarcotic ingredients in recognized therapeutic amounts;

24 (e) not more than 1.8 grams of dihydrocodeine or any
 25 of its salts per 100 milliliters or not more than 90

1 milligrams per dosage unit, with one or more active,
2 nonnarcotic ingredients in recognized therapeutic amounts;

3 (f) not more than 300 milligrams of ethylmorphine or
4 any of its salts per 100 milliliters or not more than 15
5 milligrams per dosage unit, with one or more ingredients in
6 recognized therapeutic amounts;

7 (g) not more than 500 milligrams of opium per 100
8 milliliters or per 100 grams, or not more than 25 milligrams
9 per dosage unit, with one or more active, nonnarcotic
10 ingredients in recognized therapeutic amounts; or

11 (h) not more than 50 milligrams of morphine or any of
12 its salts per 100 milliliters or per 100 grams with one or
13 more active, nonnarcotic ingredients in recognized
14 therapeutic amounts;

15 ~~(4) any material, compound, mixture, or preparation~~
16 ~~containing any tetrahydrocannabinols to the extent~~
17 ~~authorized by federal regulations when administered or~~
18 ~~recommended by a licensed practitioner acting in the course~~
19 ~~of a professional practice."~~

-End-

1 *House* BILL NO. *463*
 2 INTRODUCED BY *John Metcalf* *Conny Santal*
 3 *Dianna F. Holbin*

4 A BILL FOR AN ACT ENTITLED: "AN ACT RELATING TO DANGEROUS
 5 DRUGS; TRANSFERRING TETRAHYDROCANNABINOLS (THC) FROM
 6 SCHEDULE I TO SCHEDULE III TO ALLOW PRESCRIPTIVE USE OF SUCH
 7 MATERIALS WITHIN FEDERAL AUTHORIZATION; DELETING MARIJUANA
 8 FROM SCHEDULE I; AMENDING SECTIONS 50-32-222 AND 50-32-226,
 9 MCA."

10
 11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

12 Section 1. Section 50-32-222, MCA, is amended to read:

13 "50-32-222. Specific dangerous drugs included in
 14 Schedule I. The dangerous drugs listed in this section are
 15 included in Schedule I:

16 (1) any of the following opiates, including their
 17 isomers, esters, ethers, salts, and salts of isomers,
 18 esters, and ethers, unless specifically excepted, whenever
 19 the existence of these isomers, esters, ethers, and salts is
 20 possible within the specific chemical designation:
 21 acetylmethadol, allylprodine, alphacetylmethadol,
 22 alphameprodine, alphamethadol, benzethidine,
 23 betacetylmethadol, betameprodine, betamethadol, betaprodine,
 24 clonitazene, dextromoramide, dextrorphan, diampromide,
 25 diethylthiambutene, dimenoxadol, dimepheptanol,

1 dimethylthiambutene, dioxaphetyl butyrate, dipipanone,
 2 ethylmethylthiambutene, etonitazene, etoxeridine,
 3 furethidine, hydroxypethidine, ketobemidone, levomoramide,
 4 levophenacylmorphan, morpheridine, noracymethadol,
 5 norlevorphanol, normethadone, norpipanone, phenadoxone,
 6 phenampromide, phenomorphan, phenoperidine, piritramide,
 7 proheptazine, properidine, racemoramide, and trimeperidine;

8 (2) any of the following opium derivatives, their
 9 salts, isomers, and salts of isomers, unless specifically
 10 excepted, whenever the existence of these salts, isomers,
 11 and salts of isomers is possible within the specific
 12 chemical designation: acetorphine, acetyldihydrocodeine,
 13 benzylmorphine, codeine methylbromide, codeine-n-oxide,
 14 cyrenorphine, desomorphine, dihydromorphine, etorphine,
 15 heroin, hydromorphinol, methyl-desorphine,
 16 methyldihydromorphine, morphine methylbromide, morphine
 17 methylsulfonate, morphine-n-oxide, nyrophine, nicocodeine,
 18 nicomorphine, normorphine, phoclodine, and thebacon;

19 (3) any material, compound, mixture, or preparation
 20 which contains any quantity of the following hallucinogenic
 21 drugs, their salts, isomers, and salts of isomers, unless
 22 specifically excepted, whenever the existence of these
 23 salts, isomers, and salts of isomers is possible within the
 24 specific chemical designation: 3, 4-methylenedioxy
 25 amphetamine, 5-methoxy-3, 4-methylenedioxy amphetamine, 3,

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 THIRD READING

1 4, 5-trimethoxy amphetamine, bufotenine, diethyltryptamine,
 2 dimethyltryptamine, 4-methyl 1-2, 5-dimethoxyamphetamine,
 3 ibogaine, lysergic acid diethylamide, mephedrone, mescaline,
 4 psilocybin, psilocyn, tetrahydrocannabinol and
 5 2, 5-dimethoxyamphetamine."

7 Section 2. Section 50-32-226, MCA, is amended to read:

8 *50-32-226. Specific dangerous drugs included in
 9 Schedule III. The dangerous drugs listed in this section are
 10 included in Schedule III:

11 (1) unless listed in another schedule, any material,
 12 compound, mixture, or preparation which contains any
 13 quantity of the following drugs having a potential for abuse
 14 associated with a depressant effect on the central nervous
 15 system:

16 (a) any drug which contains any quantity of a
 17 derivative of barbituric acid or any salt of a derivative of
 18 barbituric acid, except those drugs which are specifically
 19 listed in other schedules;

20 (b) chlorhexadol;

21 (c) glutethimide;

22 (d) lysergic acid;

23 (e) lysergic acid amide;

24 (f) methyprylon;

25 (g) phencyclidine;

1 (h) sulfondiethylmethane;

2 (i) sulfonethylmethane; and

3 (j) sulfonmethane;

4 (2) nalorphine;

5 (3) any material, compound, mixture, or preparation
 6 containing limited quantities of any of the following
 7 narcotic drugs or any salts thereof:

8 (a) not more than 1.8 grams of codeine or any of its
 9 salts per 100 milliliters or not more than 90 milligrams per
 10 dosage unit, with an equal or greater quantity of an
 11 isoquinoline alkaloid of opium;

12 (b) not more than 1.8 grams of codeine or any of its
 13 salts per 100 milliliters or not more than 90 milligrams per
 14 dosage unit, with one or more active, nonnarcotic
 15 ingredients in recognized therapeutic amounts;

16 (c) not more than 300 milligrams of dihydrocodeinone
 17 or any of its salts per 100 milliliters or not more than 15
 18 milligrams per dosage unit, with a fourfold or greater
 19 quantity of an isoquinoline alkaloid of opium;

20 (d) not more than 300 milligrams of dihydrocodeinone
 21 or any of its salts per 100 milliliters or not more than 15
 22 milligrams per dosage unit, with one or more active,
 23 nonnarcotic ingredients in recognized therapeutic amounts;

24 (e) not more than 1.8 grams of dihydrocodeine or any
 25 of its salts per 100 milliliters or not more than 90

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1 milligrams per dosage unit, with one or more active,
2 nonnarcotic ingredients in recognized therapeutic amounts;

3 (f) not more than 300 milligrams of ethylmorphine or
4 any of its salts per 100 milliliters or not more than 15
5 milligrams per dosage unit, with one or more ingredients in
6 recognized therapeutic amounts;

7 (g) not more than 500 milligrams of opium per 100
8 milliliters or per 100 grams, or not more than 25 milligrams
9 per dosage unit, with one or more active, nonnarcotic
10 ingredients in recognized therapeutic amounts; or

11 (h) not more than 50 milligrams of morphine or any of
12 its salts per 100 milliliters or per 100 grams with one or
13 more active, nonnarcotic ingredients in recognized
14 therapeutic amounts;

15 ~~(i) any material, compound, mixture, or preparation~~
16 ~~containing any tetrahydrocannabinols to the extent~~
17 ~~authorized by federal regulations when administered or~~
18 ~~recommended by a licensed practitioner acting in the course~~
19 ~~of a professional practice."~~

-End-

HOUSE BILL NO. 463

INTRODUCED BY GOULD, METCALF, COONEY, HEMSTAD,

BENNETT, H. ROBBINS

A BILL FOR AN ACT ENTITLED: "AN ACT RELATING TO DANGEROUS DRUGS; TRANSFERRING---TETRAHYDROCANNABINOIDS---(THE)---FROM SCHEDULE-I-TO-SCHEDULE-III-TO-ALLOW-PRESERPTIVE-USE-OF-SUCH MATERIALS-WITHIN-FEDERAL-AUTHORIZATION,--DELETING--MARIJUANA FROM--SCHEDULE-I; AMENDING SECTIONS 50-32-222 AND 50-32-226, MCA."

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

Section 1. Section 50-32-222, MCA, is amended to read:

"50-32-222. Specific dangerous drugs included in Schedule I. The dangerous drugs listed in this section are included in Schedule I:

(1) any of the following opiates, including their isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, unless specifically excepted, whenever the existence of these isomers, esters, ethers, and salts is possible within the specific chemical designation: acetylmethadol, allylprodine, alphacetylmethadol, alphameprodine, alphamethadol, benzethidine, betacetylmethadol, betameprodine, betamethadol, betaprodine, clonitazene, dextromoramide, dextrorphan, diampromide,

diethylthiambutene, dimenoxadol, dimpheptanol, dimethylthiambutene, dioxaphetyl butyrate, dipipanone, ethylmethylthiambutene, etonitazene, etoxeridine, furethidine, hydroxypethidine, ketobemidone, levomoramide, levophenacylmorphane, morpheridine, noracymethadol, norlevorphanol, normethadone, norpipanone, phenadoxone, phenampromide, phenomorphan, phenoperidine, piritramide, proheptazine, properidine, racemoramide, and trimeperidine;

(2) any of the following opium derivatives, their salts, isomers, and salts of isomers, unless specifically excepted, whenever the existence of these salts, isomers, and salts of isomers is possible within the specific chemical designation: acetorphine, acetyldihydrocodeine, benzylmorphine, codeine methylbromide, codeine-n-oxide, cyrenorphine, desomorphine, dihydromorphine, etorphine, heroin, hydromorphanol, methyl-desorphine, methylhydromorphanol, morphine methylbromide, morphine methylsulfonate, morphine-n-oxide, myrophine, nicocodeine, nicomorphine, normorphine, phoclidine, and thebacon;

(3) any material, compound, mixture, or preparation which contains any quantity of the following hallucinogenic drugs, their salts, isomers, and salts of isomers, unless specifically excepted, whenever the existence of these salts, isomers, and salts of isomers is possible within the specific chemical designation: 3, 4-methylenedioxy

1 amphetamine, 5-methoxy-3, 4-methylenedioxy amphetamine, 3,
 2 4, 5-trimethoxy amphetamine, bufotenine, diethyltryptamine,
 3 dimethyltryptamine, 4-methyl 1-2, 5-dimethoxyamphetamine,
 4 ibogaine, lysergic acid diethylamide, marihuana, MARIJUANA,
 5 mescaline, peyote, n-ethyl-3-piperidyl benzilate,
 6 n-methyl-3-piperidyl benzilate, psilocybin, psilocyn,
 7 tetrahydrocannabinol, TETRAHYDROCANNABINOLS, and 2,
 8 5-dimethoxyamphetamine. IF PRESCRIPTION OR ADMINISTRATION
 9 IS AUTHORIZED BY THE FEDERAL FOOD, DRUG AND COSMETIC ACT,
 10 THEN ANY MATERIAL, COMPOUND, MIXTURE, OR PREPARATION
 11 CONTAINING TETRAHYDROCANNABINOLS SHALL AUTOMATICALLY BE
 12 RESCHEMLED FROM SCHEDULE I TO SCHEDULE II."

13 Section 2v--Section 50-32-226v--MEAs--is--amended--to--read--
 14 "50-32-226v--Specific--dangerous--drugs--included--in
 15 Schedule--iii--The--dangerous--drugs--listed--in--this--section
 16 are--included--in--Schedule--iii"

17 (1)--unless--listed--in--another--schedule--any--material
 18 compound--mixture--or--preparation--which--contains--any
 19 quantity--of--the--following--drugs--having--a--potential--for--abuse
 20 associated--with--a--depressant--effect--on--the--central--nervous
 21 system

22 (a)--any--drug--which--contains--any--quantity--of--a
 23 derivative--of--barbituric--acid--or--any--salt--of--a--derivative--of
 24 barbituric--acid--except--those--drugs--which--are--specifically
 25 listed--in--other--schedules"

1 (b)--chlorhexadol
 2 (c)--glutethimide
 3 (d)--lysergic--acid
 4 (e)--lysergic--acid--amide
 5 (f)--methyprylon
 6 (g)--phenacetidine
 7 (h)--sulfondiethylmethone
 8 (i)--sulfonethylmethane--and
 9 (j)--sulfonmethane
 10 (k)--norpine
 11 (3)--any--material--compound--mixture--or--preparation
 12 containing--limited--quantities--of--any--of--the--following
 13 narcotic--drugs--or--any--salts--thereof
 14 (a)--not--more--than--16--grams--of--codeine--or--any--of--its
 15 salts--per--100--milliliters--or--not--more--than--90--milligrams--per
 16 dosage--unit--with--an--equal--or--greater--quantity--of--an
 17 isoquinoline--alkaloid--of--opium
 18 (b)--not--more--than--16--grams--of--codeine--or--any--of--its
 19 salts--per--100--milliliters--or--not--more--than--90--milligrams--per
 20 dosage--unit--with--one--or--more--active--nonnarcotic
 21 ingredients--in--recognized--therapeutic--amounts
 22 (c)--not--more--than--300--milligrams--of--dihydrocodeinone
 23 or--any--of--its--salts--per--100--milliliters--or--not--more--than--15
 24 milligrams--per--dosage--unit--with--a--fourfold--or--greater
 25 quantity--of--an--isoquinoline--alkaloid--of--opium"

1 (d) ~~--not more than 300 milligrams of dihydrocodeine~~
2 ~~or any of its salts per 100 milliliters or not more than 25~~
3 ~~milligrams per dosage unit with one or more active~~
4 ~~nonnarcotic ingredients in recognized therapeutic amounts;~~

5 (e) ~~--not more than 100 grams of dihydrocodeine or any~~
6 ~~of its salts per 100 milliliters or not more than 90~~
7 ~~milligrams per dosage unit with one or more active~~
8 ~~nonnarcotic ingredients in recognized therapeutic amounts;~~

9 (f) ~~--not more than 300 milligrams of ethylmorphine or~~
10 ~~any of its salts per 100 milliliters or not more than 15~~
11 ~~milligrams per dosage unit with one or more ingredients in~~
12 ~~recognized therapeutic amounts;~~

13 (g) ~~--not more than 500 milligrams of opium per 100~~
14 ~~milliliters or per 100 grams or not more than 25 milligrams~~
15 ~~per dosage unit with one or more active nonnarcotic~~
16 ~~ingredients in recognized therapeutic amounts; or~~

17 (h) ~~--not more than 50 milligrams of morphine or any of~~
18 ~~its salts per 100 milliliters or per 100 grams with one or~~
19 ~~more active nonnarcotic ingredients in recognized~~
20 ~~therapeutic amounts;~~

21 (i) ~~--any material, compound, mixture, or preparation~~
22 ~~containing any tetrahydrocannabinols to the extent~~
23 ~~authorized by federal regulations when administered or~~
24 ~~recommended by a licensed practitioner acting in the course~~
25 ~~of a professional practice."~~

1 HOUSE BILL NO. 463
 2 INTRODUCED BY GOULD, METCALF, COONEY, HEMSTAD,
 3 BENNETT, H. ROBBINS
 4

5 A BILL FOR AN ACT ENTITLED: "AN ACT RELATING TO DANGEROUS
 6 DRUGS; ~~TRANSFERRING---TETRAHYDROCANNABINOLES---(THE)---FROM~~
 7 ~~SCHEDULE-I-TO-SCHEDULE-III-TO-ALLOW-PRESCRIPTIVE-USE-OF-SUCH~~
 8 ~~MATERIALS-WITHIN-FEDERAL-AUTHORIZATION;--DELETING--MARIHUANA~~
 9 ~~FROM--SCHEDULE-I;~~ AMENDING SECTIONS 50-32-222 AND 50-32-226,
 10 MCA."

11
 12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

13 Section 1. Section 50-32-222, MCA, is amended to read:
 14 "50-32-222. Specific dangerous drugs included in
 15 Schedule I. The dangerous drugs listed in this section are
 16 included in Schedule I:

17 (1) any of the following opiates, including their
 18 isomers, esters, ethers, salts, and salts of isomers,
 19 esters, and ethers, unless specifically excepted, whenever
 20 the existence of these isomers, esters, ethers, and salts is
 21 possible within the specific chemical designation:
 22 acetylmeadol, allylprodine, alphacetylmeadol,
 23 alphameprodine, alphameadol, benzethidine,
 24 betacetylmeadol, betameprodine, betameadol, betaprodine,
 25 clonitazene, dextromoramide, dextrophan, diampromide,

1 diethylthiambutene, dimenoxadol, dimepheptanol,
 2 dimethylthiambutene, dioxaphetyl butyrate, dipipanone,
 3 ethylmethylthiambutene, etonitazene, etoxeridine,
 4 furethidine, hydroxypethidine, ketobemidone, levomoramide,
 5 levophenacymorphan, morpheridine, noracymethadol,
 6 norlevorphanol, nornethadone, norpipanone, phenadoxone,
 7 phenampromide, phenomorphan, phenoperidine, piritramide,
 8 proheptazine, properidine, racemoramide, and trimeperidine;

9 (2) any of the following opium derivatives, their
 10 salts, isomers, and salts of isomers, unless specifically
 11 excepted, whenever the existence of these salts, isomers,
 12 and salts of isomers is possible within the specific
 13 chemical designation: acetorphine, acetyldihydrocodeine,
 14 benzylmorphine, codeine methylbromide, codeine-n-oxide,
 15 cyrenorphine, desomorphine, dihydromorphine, etorphine,
 16 heroin, hydromorphinol, methyl-desorphine,
 17 methyldihydromorphine, morphine methylbromide, morphine
 18 methylsulfonate, morphine-n-oxide, myrophine, nicocodeine,
 19 nicomorphine, normorphine, phoclodine, and thebacon;

20 (3) any material, compound, mixture, or preparation
 21 which contains any quantity of the following hallucinogenic
 22 drugs, their salts, isomers, and salts of isomers, unless
 23 specifically excepted, whenever the existence of these
 24 salts, isomers, and salts of isomers is possible within the
 25 specific chemical designation: 3, 4-methylenedioxy

1 amphetamine, 5-methoxy-3, 4-methylenedioxy amphetamine, 3,
 2 4, 5-trimethoxy amphetamine, bufotenine, diethyltryptamine,
 3 dimethyltryptamine, 4-methyl 1-2, 5-dimethoxyamphetamine,
 4 ibogaine, lysergic acid diethylamide, marijuana, MARIJUANA,
 5 mescaline, peyote, n-ethyl-3-piperidyl benzilate,
 6 n-methyl-3-piperidyl benzilate, psilocybin, psilocyn,
 7 tetrahydrocannabinols, TETRAHYDROCANNABINOLS, and 2,
 8 5-dimethoxyamphetamine. IF PRESCRIPTION OR ADMINISTRATION
 9 IS AUTHORIZED BY THE FEDERAL FOOD, DRUG AND COSMETIC ACT,
 10 THEN ANY MATERIAL, COMPOUND, MIXTURE, OR PREPARATION
 11 CONTAINING TETRAHYDROCANNABINOLS SHALL AUTOMATICALLY BE
 12 RESCHEDULED FROM SCHEDULE I TO SCHEDULE II."

13 Section 2, Section 50-32-226, HEA, is amended to read
 14 "50-32-226--Specific--dangerous--drugs---included---in
 15 Schedule--iii--The--dangerous--drugs--listed--in--this--section
 16 are--included--in--Schedule--iii+

17 (i)--unless--listed--in--another--schedule,--any--material,
 18 compound,--mixture,--or--preparation--which--contains--any
 19 quantity--of--the--following--drugs--having--a--potential--for--abuse
 20 associated--with--a--depressant--effect--on--the--central--nervous
 21 system+

22 (e)--any--drug--which--contains--any--quantity--of--a
 23 derivative--of--barbituric--acid--or--any--salt--of--a--derivative--of
 24 barbituric--acid,--except--those--drugs--which--are--specifically
 25 listed--in--other--schedules+

1 (b)--chlorhexedol+

2 (c)--glutethimide+

3 (d)--lysergic-acid+

4 (e)--lysergic-acid-amide+

5 (f)--methyprylon+

6 (g)--phencyclidine+

7 (h)--sulfondiethylmethane+

8 (i)--sulfonethylmethane--and

9 (j)--sulfonmethane+

10 (k)--natorphine+

11 (l)--any--material,--compound,--mixture,--or--preparation
 12 containing--limited--quantities--of--any--of--the--following
 13 narcotic--drugs--or--any--salts--thereof+

14 (a)--not--more--than--16--grams--of--codeine--or--any--of--its
 15 salts--per--100--milliliters--or--not--more--than--90--milligrams--per
 16 dosage--unit,--with--an--equal--or--greater--quantity--of--an
 17 isosquinoline-alkaloid--of--opium+

18 (b)--not--more--than--16--grams--of--codeine--or--any--of--its
 19 salts--per--100--milliliters--or--not--more--than--90--milligrams--per
 20 dosage--unit,--with--one--or--more--active,--nonnarcotic
 21 ingredients--in--recognized--therapeutic--amounts+

22 (c)--not--more--than--300--milligrams--of--dihydrocodeinone
 23 or--any--of--its--salts--per--100--milliliters--or--not--more--than--15
 24 milligrams--per--dosage--unit,--with--a--fourfold--or--greater
 25 quantity--of--an--isosquinoline-alkaloid--of--opium+

1 (d) not more than 300 milligrams of dihydrocodeinone
2 or any of its salts per 100 milliliters or not more than 25
3 milligrams per dosage unit with one or more active
4 nonnarcotic ingredients in recognized therapeutic amounts;

5 (e) not more than 16 grams of dihydrocodeine or any
6 of its salts per 100 milliliters or not more than 90
7 milligrams per dosage unit with one or more active
8 nonnarcotic ingredients in recognized therapeutic amounts;

9 (f) not more than 300 milligrams of ethylmorphine or
10 any of its salts per 100 milliliters or not more than 25
11 milligrams per dosage unit with one or more ingredients in
12 recognized therapeutic amounts;

13 (g) not more than 500 milligrams of opium per 100
14 milliliters or per 100 grams or not more than 25 milligrams
15 per dosage unit with one or more active nonnarcotic
16 ingredients in recognized therapeutic amounts; or

17 (h) not more than 50 milligrams of morphine or any of
18 its salts per 100 milliliters or per 100 grams with one or
19 more active nonnarcotic ingredients in recognized
20 therapeutic amounts;

21 (i) any material, compound, mixture, or preparation
22 containing any tetrahydrocannabinols to the extent
23 authorized by federal regulations when administered or
24 recommended by a licensed practitioner acting in the course
25 of a professional practice."