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Research Brief

TO: Senator Fred Dyson
FROM: Tim Spengler, Legislative Analyst
DATE: March 10, 2014
RE: Controlled Substances Measures in Alaska Since 1983
LRS Report 14.303

You asked for a list of measures introduced in the Alaska Legislature to amend the State's controlled substances statute, AS 11.71, from 1983 forward.

We identified 54 measures introduced in the Alaska Legislature since 1983 that amended or would have amended the State's controlled substances laws under AS 11.71.¹ Additionally, we identified six bills that would have affected AS 11.73, which pertains to imitation controlled substances, and one bill that would have added a new section, AS 11.74, regarding drug paraphernalia.

In Table 1 on the following pages, we list these measures and include the year introduced, bill number, short title, and final status. Scores of additional bills introduced during this time period *referenced* AS 11.71, but would not have altered the statute.²

¹ To identify these bills we used the Alaska Legislature's Bill Action and Status Inquiry System (BASIS). Specifically, we searched using the Statute Information Retrieval System (SIRS) for the 18th through the 28th Legislatures (1993-2014), and Infobases for the 13th through the 17th Legislatures (1983-1992). While we believe our research to be thorough, we may have missed relevant measures.

² For example, some of these measures would have affected sentencing for other crimes or eligibility for certain jobs or programs, if a person had previously been convicted of an offense "involving controlled substances under AS 11.71."

Table 1: Measures in Alaska to Amend the Controlled Substances Statute (AS 11.71), 1983 through 2014

| Legislature | Bill Number | Short Title | Final Status |
|-------------------|---------------------------------|---|---|
| 13th 1983-1984 | No relevant measures identified | | |
| 14th 1985-1986 | HB 184 ^a | Anti-Racketeering Crime Bill | (H) Judiciary |
| | SB 151 | Controlled Substances and Forfeiture Laws | (S) Health, Education and Social Services |
| | SB 413 ^a | Anti-Racketeering Crime Bill | (S) Finance |
| 15th 1987-1988 | HB 240 ^a | Anti-Racketeering Crime Bill | (H) Judiciary |
| | SB 28 ^a | Anti-Racketeering Crime Bill | (S) Judiciary |
| | SB 331 ^b | Drug Paraphernalia | (S) Rules |
| 16th 1989-1990 | HB 88 | Making Possession of Marijuana Illegal | (H) Judiciary |
| | SB 16 | Conspiracy to Commit Murder | ((H) Judiciary |
| | SB 19 ^a | Forfeiture in Alcohol or Drug Cases | (H) Judiciary |
| 17th 1991-1992 | HB 554 | Criminal Law: Conspiracy, Murder, etc. | (H) Finance |
| | SB 192 ^a | Forfeiture in Alcohol or Drug Cases | (H) State Affairs |
| | SB 444 | Criminal Law: Conspiracy, Murder, etc. | (S) Finance |
| 18th 1993-1994 | HB 337 | Drug Free Recreation and Youth Centers | (S) Judiciary |
| | HB 399 | Add "Cat" to Schedule IIA Drug List | (H) Health, Education and Social Services |
| | SB 220 | Add "Cat" to Schedule IIA Drug List | Chapter 30 SLA 94 |
| | SB 319 | Drug Free Recreation and Youth Centers | Chapter 70 SLA 94 |
| | SB 332 | Possession of 25 Live Marijuana Plants | Chapter 53 SLA 94 |
| 19th 1995-1996 | No relevant measures identified | | |
| 20th 1997-1998 | HB 69 | Rohypnol as Schedule I-A Drug | Chapter 16 SLA 97 |
| | HB 163 | Gamma-Hydroxybutyrate as a Controlled Substance | Chapter 105 SLA 97 |
| | SB 94 | Rohypnol as Schedule I-A Drug | (S) Judiciary |

Table 1: Measures in Alaska to Amend the Controlled Substances Statute (AS 11.71), 1983 through 2014 (continued)

| Legislature | Bill Number | Short Title | Final Status |
|-------------------|---------------------------------|---|---|
| 21st 1999-2000 | HB 3 | Drugs: Listed Chemicals/Methamphetamine | Chapter 73 SLA 00 |
| | HB 11 | Precursor Drugs | (H) Judiciary |
| | HB 213 | Medical Use of Marijuana | (H) Finance |
| | HB 293 | Ketamine HCL as Controlled Substance | (H) Judiciary |
| | HB 350 | Crimes Prosecuted in other Jurisdictions | (H) Finance |
| | HB 397 | Marijuana Law Revisions | (H) Judiciary |
| | SB 94 | Medical Use of Marijuana | (H) Judiciary |
| | SB 200 | Ketamine HCL as Controlled Substance | (S) Judiciary |
| | SB 251 | Crimes Prosecuted in other Jurisdictions | (S) Judiciary |
| 22nd 2001-2002 | HB 140 | Place GHB in Schedule IA | (H) Judiciary |
| | HB 373 | Weight of Marijuana Contraband Forfeiture | (S) Judiciary |
| 23rd 2003-2004 | No relevant measures identified | | |
| 24th 2005-2006 | HB 80 | Controlled Substances: Anabolic Steroids | (H) Health, Education and Social Services |
| | HB 88 | Criminal Law: Minors, Schools, Drugs, Sentences | Chapter 66 SLA 05 |
| | HB 96 | Crimes Involving Marijuana/Other Drugs | (H) Judiciary |
| | HB 99 | Crimes Involving Controlled Substances | (H) Finance |
| | HB 100 | State Virology Laboratory | (H) Finance |
| | HB 141 | Sale of Methamphetamine and Precursors | (H) Judiciary |
| | HB 149 | Controlled Substances: Meth and Marijuana | Chapter 53 SLA 06 |
| | HB 379 | Controlled Substances, Including Analogs | Chapter 19 SLA 06 |
| | SB 49 | Controlled Substances: Anabolic Steroids | (S) Health, Education and Social Services |
| | SB 70 | Crimes Involving Controlled Substances | (S) Finance |
| | SB 74 | Crimes Involving Marijuana/Other Drugs | (S) Finance |
| | SB 106 | Sale of Methamphetamine and Precursors | (S) Judiciary |
| | SB 313 | Saliva Divinorum as Controlled Substance | (S) Rules |
| 25th 2007-2008 | HB 323 | Criminal Law/Procedure: Omnibus Bill | (H) Finance |
| | SB 38 | Saliva Divinorum as Controlled Substance | (S) Finance |
| | SB 234 | Criminal Law/Procedure: Omnibus Bill | (S) Finance |
| | SB 265 | Omnibus Criminal Bill/PFDS | Chapter 75 SLA 08 |

Table 1: Measures in Alaska to Amend the Controlled Substances Statute (AS 11.71), 1983 through 2014 (continued)

| Legislature | Bill Number | Short Title | Final Status |
|-------------------|-------------|--|---|
| 26th 2009-2010 | HB 327 | Controlled Substances/Dextromethorphan | (H) Finance |
| | SB 52 | Saliva Divinorum as Controlled Substance | (S) Finance |
| 27th 2011-2012 | HB 7 | Synthetic Cannabinoids | Chapter 22 SLA 11 |
| | HB 116 | Correct Spelling of Lorazepam/Oxymorphone | Chapter 22 SLA 11 |
| | HB 153 | Controlled Substances | (H) Judiciary |
| | HB 253 | Cathinone Bath Salts | (H) Finance |
| | SB 17 | Classifying MDPV and Others as Schedule IA | (S) Judiciary |
| | SB 140 | Cathinone Bath Salts | Chapter 57 SLA 12 |
| 28th 2013-2014 | HB 178 | Reclassifying Certain Drug Offenses | (H) Judiciary |
| | HB 319 | Drug/Device Distributors: Compounded RX | (H) Health, Education and Social Services |
| | HB 369 | Immunity for Drug Related Offense | (H) Judiciary |
| | SB 56 | Reclassifying Certain Drug Offenses | (H) Judiciary |
| | SB 186 | Controlled Substances Advisory Committee | (S) Judiciary |

Notes: a) Bill pertains to AS 11.73--imitation controlled substances. B) Would have created a new statutory section, AS 11.74, regarding drug paraphernalia. Scores of additional measures have been introduced during this time period that reference AS 11.71. For example, some of these measures would have affected sentencing for other crimes or eligibility for certain jobs or programs, if a person had previously been convicted of an offense "involving controlled substances under AS 11.71." These bills, however, would not have directly changed the controlled substances statute.

Sources: The Alaska Legislature's Bill Action and Status Inquiry System (BASIS). Specifically we searched using the Statute Information Retrieval System (SIRS) for the 18th through the 28th Legislatures (1993-2014), and Infobases for the 13th through the 17th Legislatures (1983-1992).

We hope this is helpful. If you have questions or need additional information, please let us know.