

FISCAL NOTE

STATE OF ALASKA
 0 LEGISLATIVE SESSION

No. 5
 Bill Version: CSHB 3(JUD)
 (S) Publish Date: 1-25-00

Revision Date: January 19, 2000
 Title: "An Act relating to controlled substances and to the possession of certain chemicals"
 Sponsor: Representative Brice
 Requestor: (H) Finance

Department Affected: Administration
 BRU: Legal and Advocacy Services
 Component: Public Defender Agency

COMPONENT SERIAL NO. 1631

(Thousands of Dollars)

PENDITURES/REVENUES:	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006
OPERATING EXPENDITURES	**	**	**	**	**	**
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
LIABILITIES, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	**	**	**	**	**	**
CAPITAL EXPENDITURES	**	**	**	**	**	**
CHANGE IN REVENUES ()	**	**	**	**	**	**

(Thousands of Dollars)

FUND SOURCE:	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006
002 Federal Receipts	**	**	**	**	**	**
003 GF Match						
004 GF						
005 GF/Program Receipts						
007 GF/Mental Health						
OTHER						
TOTAL	**	**	**	**	**	**

Estimate of any current year (FY 00) cost: \$ _____

POSITIONS:

	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006
FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary.)
 See attached.

Prepared by: Barbara Brink, Director Phone: (907) 264-4414
 Division: Public Defender Agency Date: _____
 Approved by Commissioner: Robert Poe, Jr. *Alison U. Selge* Date: 1/19/00
 Agency: Department of Administration

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FISCAL NOTE

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STATE OF ALASKA

BILL NO. CSHB 3 (JUD)

000 LEGISLATIVE SESSION

ANALYSIS: (continued)

This bill increases the level of offense for manufacturing methamphetamine. Under current law it is a class B felony. (Methamphetamine is classified as a "Schedule IIA" controlled substance. Manufacture or delivery of schedule IIA substances has traditionally been a class B felony.) Under Section 1 of the bill, manufacturing methamphetamine would be a class A felony.

The bill also makes it a class A felony offense to manufacture or possess with intent to manufacture "immediate precursors" of methamphetamine. Finally, Section 1 makes it a class A felony to possess "listed chemicals" that can be used in manufacturing methamphetamine. Possession of "precursor chemicals" is already a violation of federal statutes. See 21 U.S.C. § 841(d). This bill would, for the first time, make possession of such chemicals legal under state law. The "listed chemicals" are not controlled substances. Many of them, such as acetone or iodine, are common and often used for legal purposes. The state would have to prove that the possession was with intent to manufacture methamphetamine.

The Public Defender Agency (PDA) does not have information on how many new prosecutions would result if this law is passed or how many cases PDA would be appointed to. However, PDA has to assume that there would be additional cases if this bill is passed and the law is enforced by police and prosecutors. Therefore, an indeterminate fiscal note is being submitted.