

AMENDMENT # 1

OFFERED IN THE SENATE

BY SENATOR MYERS

TO: SCS CSHB 66(FIN)

Claman

1 Page 2, line 12:

2 Delete "sec. 49"

3 Insert "sec. 52"

4

5 Page 10, following line 4:

6 Insert new bill sections to read:

7 **** Sec. 16.** AS 11.71.021(b) is amended to read:

8 (b) In a prosecution under (a) of this section, possession of more than **nine**
9 [SIX] grams of the listed chemicals ephedrine, pseudoephedrine,
10 phenylpropanolamine, or the salts, isomers, or salts of isomers of those chemicals is
11 prima facie evidence that the person intended to use the listed chemicals to
12 manufacture, to aid or abet another person to manufacture, or to deliver to another
13 person who intends to manufacture methamphetamine, its immediate precursors, or
14 the salts, isomers, or salts of isomers of methamphetamine or its immediate precursors.
15 The prima facie evidence described in this subsection does not apply to a person who
16 possesses

17 (1) the listed chemicals ephedrine, pseudoephedrine,
18 phenylpropanolamine, or the salts, isomers, or salts of isomers of those chemicals

19 (A) and the listed chemical was dispensed to the person under a
20 valid prescription; or

21 (B) in the ordinary course of a legitimate business, or an
22 employee of a legitimate business, as a

23 (i) retailer or as a wholesaler;

1 (ii) wholesale drug distributor licensed by the Board of
2 Pharmacy;

3 (iii) manufacturer of drug products licensed by the
4 Board of Pharmacy;

5 (iv) pharmacist licensed by the Board of Pharmacy; or

6 (v) health care professional licensed by the state; or

7 (2) less than 24 grams of ephedrine, pseudoephedrine,
8 phenylpropanolamine, or the salts, isomers, or salts of isomers of those chemicals,
9 kept in a locked storage area on the premises of a legitimate business or nonprofit
10 organization operating a camp, lodge, school, day care center, treatment center, or
11 other organized group activity, and the location or nature of the activity, or the age of
12 the participants, makes it impractical for the participants in the activity to obtain
13 medicinal products.

14 * **Sec. 17.** AS 11.71.210(a) is amended to read:

15 (a) A person commits the crime of purchase or receipt of restricted amounts of
16 certain listed chemicals if the person purchases or receives more than **nine** [SIX]
17 grams of the following listed chemical, its salts, isomers, or salts of isomers within
18 any 30-day period:

19 (1) ephedrine under AS 11.71.200(4);

20 (2) pseudoephedrine under AS 11.71.200(13);

21 (3) phenylpropanolamine under AS 11.71.200(11).

22 * **Sec. 18.** AS 11.71.210(b) is amended to read:

23 (b) This section does not apply to a person who lawfully purchases or receives

24 (1) more than **nine** [SIX] grams of a listed chemical identified in (a) of
25 this section

26 (A) that was dispensed to the person under a valid prescription;

27 or

28 (B) in the ordinary course of a legitimate business, or to an
29 employee of a legitimate business, as a

30 (i) retailer or as a wholesaler;

31 (ii) wholesale drug distributor licensed by the Board of

1 Pharmacy;

2 (iii) manufacturer of drug products licensed by the

3 Board of Pharmacy;

4 (iv) pharmacist licensed by the Board of Pharmacy; or

5 (v) health care professional licensed by the state; or

6 (2) more than nine [SIX] but less than 24 grams of a listed chemical

7 identified in (a) of this section in the ordinary course of a legitimate business or

8 nonprofit organization, or as an employee of a legitimate business or nonprofit

9 organization, operating a camp, lodge, school, day care center, treatment center, or

10 other organized group activity, and the location or nature of the activity, or the age of

11 the participants, makes it impractical for the participants in the activity to obtain

12 medicinal products."

13

14 Renumber the following bill sections accordingly.

15

16 Page 41, line 10:

17 Following the first occurrence of "Act,":

18 Insert "AS 11.71.021(b), as amended by sec. 16 of this Act, AS 11.71.210(a),

19 as amended by sec. 17 of this Act, AS 11.71.210(b), as amended by sec. 18 of this

20 Act,"

21 Delete "sec. 21"

22 Insert "sec. 24"

23

24 Page 41, line 11:

25 Delete "sec. 23"

26 Insert "sec. 26"

27

28 Page 41, lines 11 - 12:

29 Delete "sec. 32"

30 Insert "sec. 35"

31

1 Page 41, line 12:

2 Delete "13 - 15"

3 Insert "13 - 18"

4

5 Page 41, line 13:

6 Delete "21, 23, and 32"

7 Insert "24, 26, and 35"

8

9 Page 41, line 15:

10 Delete "sec. 26"

11 Insert "sec. 29"

12 Delete "sec. 27"

13 Insert "sec. 30"

14

15 Page 41, line 16:

16 Delete "sec. 28"

17 Insert "sec. 31"

18

19 Page 41, line 18:

20 Delete "secs. 26 - 28"

21 Insert "secs. 29 - 31"

22

23 Page 41, line 19:

24 Delete "sec. 29"

25 Insert "sec. 32"

26

27 Page 41, line 20:

28 Delete "sec. 29"

29 Insert "sec. 32"

30

31 Page 41, line 22:

- 1 Delete "sec. 29"
- 2 Insert "sec. 32"
- 3
- 4 Page 41, line 23:
 - 5 Delete "sec. 29"
 - 6 Insert "sec. 32"
 - 7
- 8 Page 41, line 25:
 - 9 Delete "sec. 29"
 - 10 Insert "sec. 32"
 - 11
- 12 Page 41, line 27:
 - 13 Delete "sec. 30"
 - 14 Insert "sec. 33"
 - 15
- 16 Page 41, line 28:
 - 17 Delete "sec. 30"
 - 18 Insert "sec. 33"
 - 19
- 20 Page 41, line 29:
 - 21 Delete "sec. 49"
 - 22 Insert "sec. 52"
 - 23
- 24 Page 41, line 30:
 - 25 Delete "sec. 49"
 - 26 Insert "sec. 52"
 - 27
- 28 Page 41, line 31:
 - 29 Delete "sec. 49"
 - 30 Insert "sec. 52"
 - 31

1 Page 42, line 4:

2 Delete "sec. 49" in both places

3 Insert "sec. 52" in both places

4

5 Page 42, line 6:

6 Delete "Section 48"

7 Insert "Section 51"

8

9 Page 42, line 7:

10 Delete "sec. 54"

11 Insert "sec. 57"