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STATE OF ALASKA 1986 LEGISLATIVE SESSION FISCAL NOTE

Revision Date : _____

REQUEST

Bill/Resolution No. : CSHB560(HESS)
 Title : "An Act relating to imitation
 controlled substances"
 Sponsor : Representative Gruenbera
 Requestor : House Judiciary
 Date of Request : _____

FISCAL DETAIL

Agency Affected : Public Safety
 BRU : Alaska State Troopers
 Components : Narcotics

EXPENDITURES/REVENUES : (Thousands of Dollars)

OPERATING	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0

CAPITAL						
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REVENUE						
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FUNDING : (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL	0	0	0	0	0	0

POSITIONS :

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : Attach a separate page if necessary

K. Allan
 Prepared by : Francis C. Allan G.C.A. Phone : 269-5691
 Division : Alaska State Troopers Date : 05/07/86
 Approved by Commissioner : [Signature] Date : 5/8/86
 Agency : Public Safety

Distribution (by Agency preparing fiscal note) :

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

DEPARTMENT OF PUBLIC SAFETY

POSITION PAPER

Opposed

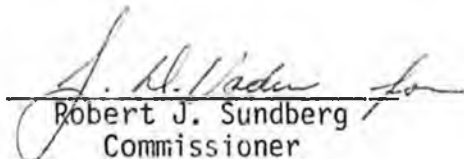
May 7, 1986

CSHB560(HESS) - "An Act relating to imitation controlled substances."

It is our interpretation of the wording used in this bill that law enforcement agencies will be required to prove the intent of a suspect in cases involving imitation controlled substances.

By requiring that law enforcement officers must demonstrate "...that the person knows..." that they are dealing with an imitation controlled substance, enforcement of the statute will be extremely difficult. The requirement for proving 'intent' was removed from various narcotics related statutes several years ago. This bill will return this element in cases involving imitation controlled substances.

As a result of the implementation of the bill, law enforcement agencies will be less likely to be able to prevent the sale of "look-alike" imitation drugs and drug pushers will be able to increase the initiation of minors into the drug culture. Further, dangers to the public will occur when users become accustomed to using "look-alikes" and unknowingly take the same dosage of a real drug.


Robert J. Sundberg
Commissioner