

HB

69

HFIN

FILE

(11)

Date Referred to Committee: February 13, 1997

FURTHER REFERRALS:

Date of Committee Action: 2/24/97

The FINANCE Committee considered:

SSHB 69

SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 69

ROHYPNOL AS SCHEDULE IVA DRUG

"An Act relating to designating flunitrazepam as a schedule IVA controlled substance; and providing for an effective date."

recommends it be replaced with the following committee substitute _____ [] the same title [] a new title

[] additional referral to _____ Committee

[] attached amendment(s)

ADOPTS: _____ Letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept) _____

APPROVES PREVIOUS: (Dept/Date) _____

[] fiscal note(s) _____

[] fiscal note(s) _____

[] zero fiscal note(s) _____

2/1 zero fiscal note(s)

Law 2/13/97
PS 2/13/97

| SIGNING WITH RECOMMENDATIONS | | DP | DNP | NR | AM |
|------------------------------|-------------|----|-----|----|----|
| <i>Gene Theriault</i> | Theriault | X | | | |
| <i>Mark Hanley</i> | Hanley | X | | | |
| <i>Adon Mulder</i> | Mulder | X | | | |
| <i>Terry Martin</i> | Martin | X | | | |
| <i>Vic Kohring</i> | Kohring | X | | | |
| <i>John Davies</i> | DAVIES | X | | | |
| <i>Ben Grussendorf</i> | Grussendorf | X | | | |
| <i>Donald E. Moses</i> | Moses | X | | | |
| <i>Pat Kelly</i> | Kelly | X | | | |
| <i>Ruby Foster</i> | Foster | X | | | |

CHAIR'S SIGNATURE

Gene Theriault
Theriault

Mark Hanley
Hanley

FISCAL NOTE

No. 1
 Bill Version: SS HB 69
 (H) Publish Date: 2/13/97

**STATE OF ALASKA
 1997 LEGISLATIVE SESSION**

Revision Date: _____ Dept. Affected: Department of Law
 Title: "An Act . . . designating flunitrazepam as a
schedule IVA controlled substance . . ." BRU: Criminal Division
 Sponsor: Representative Vezey Component: Criminal Division
 Requester: House Judiciary Committee COMPONENT SERIAL NO. 2085

Expenditures/Revenues (Thousands of Dollars)

| OPERATING EXPENDITURES | FY 98 | FY 99 | FY 00 | FY 01 | FY 02 | FY 03 |
|------------------------|------------|------------|------------|------------|------------|------------|
| PERSONAL SERVICES | | | | | | |
| TRAVEL | | | | | | |
| CONTRACTUAL | | | | | | |
| SUPPLIES | | | | | | |
| EQUIPMENT | | | | | | |
| LAND & STRUCTURES | | | | | | |
| GRANTS, CLAIMS | | | | | | |
| MISCELLANEOUS | | | | | | |
| TOTAL OPERATING | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |

| | | | | | | |
|----------------------|--|--|--|--|--|--|
| CAPITAL EXPENDITURES | | | | | | |
|----------------------|--|--|--|--|--|--|

| | | | | | | |
|------------------------|--|--|--|--|--|--|
| CHANGE IN REVENUES () | | | | | | |
|------------------------|--|--|--|--|--|--|

FUND SOURCE (Thousands of Dollars)

| FUND SOURCE | FY 98 | FY 99 | FY 00 | FY 01 | FY 02 | FY 03 |
|--------------------------|------------|------------|------------|------------|------------|------------|
| 1002 Federal Receipts | | | | | | |
| 1003 GF Match | | | | | | |
| 1004 GF | | | | | | |
| 1005 GF/Program Receipts | | | | | | |
| 1006 GF/MHTIA | | | | | | |
| Other | | | | | | |
| TOTAL | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |

Estimate of any current year (FY97) cost: \$ 0.0

POSITIONS

| POSITIONS | FY 98 | FY 99 | FY 00 | FY 01 | FY 02 | FY 03 |
|-----------|-------|-------|-------|-------|-------|-------|
| FULL-TIME | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| PART-TIME | | | | | | |
| TEMPORARY | | | | | | |

ANALYSIS: (Attach a separate page if necessary)

This bill designates the drug flunitrazepam, the "date-rape" drug, as a schedule IVA controlled substance. Passage of this legislation will have no fiscal impact on the Department of Law.

Prepared by: Joan M. Kasson *Joan M. Kasson* Phone: 465-5370
 Division: Administrative Services Division Date: 2/11/97
 Approved by Commissioner: Bruce M. Botelho, Attorney General Date: 2/11/97
 Agency: Department of Law

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STATE OF ALASKA
1997 LEGISLATIVE SESSION

BILL NO:

(H) Publish Date: 2/13/97

Revision Date: _____ Dept. Affected: Public Safety
 Title: Flunitrazepam Made Schedule IA Drug BRU: Alaska State Troopers
 Component: Narcotics Task Force
 Sponsor: Rep. Vezey
 Requestor: House Judiciary COMPONENT SERIAL NO. 798

EXPENDITURES/REVENUES: (Thousands of Dollars) (inflation not included)

| | FY 98 | FY 99 | FY 00 | FY 01 | FY 02 | FY 03 |
|--|-------|-------|-------|-------|-------|-------|
| OPERATING | | | | | | |
| PERSONAL SERVICES | | | | | | |
| TRAVEL | | | | | | |
| CONTRACTUAL | | | | | | |
| SUPPLIES | | | | | | |
| EQUIPMENT | | | | | | |
| LAND & STRUCTURES | | | | | | |
| GRANTS, CLAIMS | | | | | | |
| MISCELLANEOUS | | | | | | |
| TOTAL OPERATING | -0- | -0- | -0- | -0- | -0- | -0- |
| CAPITAL | -0- | -0- | -0- | -0- | -0- | -0- |
| CHANGE IN REVENUES () Revenue Code | -0- | -0- | -0- | -0- | -0- | -0- |

FUNDING: (Thousands of Dollars)

| | | | | | | |
|-----------------------|-----|-----|-----|-----|-----|-----|
| 1002 Federal Receipts | | | | | | |
| 1003 GF Match | | | | | | |
| 1004 GF | | | | | | |
| 1005 GF/Program | | | | | | |
| 1006 GF/MHTIA | | | | | | |
| Other | | | | | | |
| TOTAL | -0- | -0- | -0- | -0- | -0- | -0- |

Estimate of current year (FY 97) impact: \$ _____

POSITIONS:

| | | | | | | |
|-----------|---|---|---|---|---|---|
| FULL-TIME | 0 | 0 | 0 | 0 | 0 | 0 |
| PART-TIME | 0 | 0 | 0 | 0 | 0 | 0 |
| TEMPORARY | 0 | 0 | 0 | 0 | 0 | 0 |

ANALYSIS: (Attach a separate page if necessary.)

This bill would make flunitrazepam a schedule IA drug. This would have no significant fiscal impact on AST.

Prepared By: Capt. Ted M. Bachman Phone: 269-5650
 Division: Alaska State Troopers Date: 02/11/97
 Approved by Commissioner: *Ronald L. Otte* Date: 2/11/97
 Agency: Department of Public Safety

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Session Address:
Room 13



Official Business

State Capitol
Juneau, AK 99801-1982

Representative Al Vezey

HB 69

CLASSIFYING FLUNITRAZEPAM AS A CONTROLLED SUBSTANCE

Flunitrazepam, trade name Rohypnol, is known by street names that include Roaches, Roches, Rocha, Rophies, Roofies, Ruffies, Ropes, and Rib. The drug induces deep sleep and causes amnesia. Illegal use of this drug is on the increase in the United States and its illegal use has been suspected in Alaska. Rohypnol is a drug that is not readily detectable in urine by using a standard urine test.

The most heinous illegal use of this drug is to slip it into the drink of a female as a prelude to rape. Typically the victim does not remember what happened for several hours after ingesting the drug.

Victims of drug induced rape can not identify their victims and conviction are difficult and rare. This bill would make the mere possession of this drug a serious crime in the same class as sexual assault in the first degree. HB 69 sends a clear message that we will not tolerate in our society those who would perpetrate sexual abuse.

Flunitrazepam is the generic name for a drug in the class of prescription medicines known as benzodiazepines. It is manufactured in Europe and Latin American by Hoffman-La Roche under the trade name Rohypnol.



HLR Service

A Member of the Roche Group

HLR Service Corporation
9707 166th Street Ct. E
Puyallup, WA 98373

February 10, 1997

Jon Christensen
Senior Regional Manager
Tel 206-770-3741
1-800-LA-ROCHE Ext 8-9772
Fax 206-770-3723

Honorable Representative Al Vezey
State Capitol
Room 13
Juneau, AK 99801

Dear Representative Vezey;

We at Roche are pleased to support your SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 69.

At Hoffmann-La Roche, the manufacturer of Rohypnol, we are extremely concerned by the issue of drug-induced sexual assault and reports that one of our medications may be one of the many misused in this way.

Rohypnol belongs to the class of medications known as benzodiazepines, which collectively have more than 30 years of medical use for the treatment of a variety of central nervous system conditions. They are currently classified in the U.S. in Schedule IV of the Federal Controlled Substances Act.

I am happy to answer any further questions you may have and welcome the opportunity to speak with you further on this issue.

Sincerely,

Jon C. Christensen



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Sincerely,

Jon C. Christensen

**ALASKA NETWORK ON
DOMESTIC VIOLENCE AND SEXUAL ASSAULT**

130 Seward, Rm 501 Juneau, Alaska 99801 (907) 586-3650 (907) 463-4493 fx

Statement Regarding SB94/HB69

February 1997

The Alaska Network on Domestic Violence and Sexual Assault (Network) is the statewide coalition of community domestic violence and sexual assault intervention programs for Alaska. Twenty full member and five supporting member programs provide shelter, advocacy, crisis intervention and, information and referral services to victims seeking assistance in ending the violence being perpetrated against them. The Network works to promote institutional and systemic change necessary to end violence against women.

The Network supports placement of flunitrazepam (rohypnol) on the list of controlled substances as a Schedule IVA substance. The federal DEA is considering moving rohypnol from Schedule IVA to Schedule I. The Network would also support the substance being moved to Schedule I as soon as the federal change is made.

Rohypnol is a sedating substance. It is a prescription sleeping medication available outside of the United States. It is also used as a preanesthetic before surgery or other medical procedures in several countries. Rohypnol is not marketed in this country and a ban on its importation went into effect in March of 1996.

Rohypnol's sedating effect can be exacerbated by the presence of alcohol, a person's sensitivity to the drug, or an increase in the dosage. Its effects generally begin within 20 to 30 minutes of entering a person's system. Its strongest effects occur within one to two hours and, its overall effects usually last from six to eight hours.

Sedating substances such as rohypnol can temporarily inhibit a person's ability to remain awake and conscious. Other possible side effects include impaired judgment, confusion, loss of motor coordination, and dizziness. Periods of impaired memory may also result from being administered a sedating substance such as rohypnol.

Two of rohypnol's street names "the forget pill" and the "date rape drug" demonstrate the malicious intent behind its misuse in the United States. Rapists use the drug to keep victims from being able to resist and as a defense against being caught. Because survivors will have been heavily sedated, they probably will not have complete recall of the rape. They may be uncertain about exactly what happened and who was involved. The inability of a victim to recall facts makes prosecution of a rape where rohypnol was used very difficult.

According to statistics in the US Department of Justice Sourcebook of Criminal Justice Statistics, Alaska has over one and a half times the national average of sexual assaults per capita. Please support the effort to reduce the number of rapes in our state and take away one of the rapist's more insidious tools.