

SB

106

AMENDMENT

OFFERED IN THE SENATE

BY SENATOR GUESS

TO: CSSB 106(), Draft Version "I"

- 1 Page 6, line 16:
- 2 Delete "A violation of (a), (b), or (c) of this section is"
- 3 Insert "A person who knowingly violates (a), (b), or (c) of this section is guilty of"

AMENDMENT

OFFERED IN THE SENATE

BY SENATOR GUESS

TO: CSSB 106(), Draft Version "I"

1 Page 5, line 7, following "retrievable":

2 Insert "for inspection by law enforcement officers"

3

4 Page 5, lines 9 - 10:

5 Delete "and must allow for in-person inspection of the records by law enforcement
6 officers"

AMENDMENT

OFFERED IN THE SENATE

BY SENATOR GYESS

TO: CSSB 106(), Draft Version "I"

1 Page 5, line 19, following "request":

2 Insert "The log and the information entered into the log is confidential. The retailer
3 may not allow access to the log or release information contained within the log except to the
4 Department of Public Safety or other law enforcement officers."

AMENDMENT

OFFERED IN THE SENATE

BY SENATOR GUESS

TO: CSSB 106(), Draft Version "I"

1 Page 5, lines 21 - 22:

2 Delete "ephedrine, pseudoephedrine, or phenylpropanolamine, or their salts, isomers,
3 or salts of isomers, iodine, or crystal iodine"

4 Insert "iodine or crystal iodine, contains as the sole active ingredient ephedrine,
5 pseudoephedrine, or phenypropanolamine, or, when required by the department by regulation,
6 contains any amount of ephedrine, pseudoephedrine, or phenypropanolamine in any
7 combination,"

AMENDMENT

OFFERED IN THE SENATE

BY SENATOR GUESS

TO: CSSB 106(), Draft Version "I"

- 1 Page 5, line 9:
- 2 Delete "three years"
- 3 Insert "one year or a shorter period of time established by the department by
- 4 regulation"

AMENDMENT

OFFERED IN THE SENATE

BY SENATOR GUESS

TO: CSSB 106(), Draft Version "I"

- 1 Page 5, line 19, following "request.":
- 2 Insert "A retailer shall retain the log for one year or a shorter period of time
- 3 established by the department by regulation."

AMENDMENT

OFFERED IN THE SENATE

BY SENATOR GUESS

TO: CSSB 106(), Draft Version "I"

1 Page 5, lines 15 - 17:

2 Delete "requires the purchaser to sign a written log completed by the retailer showing
3 the date of the transaction, name of the purchaser, type of identification and the identification
4 number, and the amount dispensed"

5 Insert "keeps a log listing information required by the Department of Public Safety by
6 regulation"

AMENDMENT

OFFERED IN THE SENATE

BY SENATOR GUESS

TO: CSSB 106(), Draft Version "I"

1 Page 6, following line 15:

2 Insert new subsections to read:

3 "(f) A person has a duty to exercise that degree of care that a reasonable
4 person would observe to ensure that the requirements of (b) and (c) of this section are
5 complied with. This duty of the person includes ensuring the compliance by agents or
6 employees with this section, including acting with reasonable diligence to determine
7 that agents or employees are advised of the provisions of this section, either by
8 securing the agent's or employee's written acknowledgment of posted instructions or
9 otherwise. A person may neither knowingly allow agents or employees to violate this
10 section nor recklessly or with criminal negligence fail to act in accordance with the
11 duty prescribed under this subsection with the result that an agent or employee of the
12 licensee violates a provision of this section.

13 (g) It is an affirmative defense to a prosecution of a person that the person
14 exercised that degree of care specified in (f) of this section and did not knowingly
15 allow a violation of this section or recklessly or with criminal negligence fail to act as
16 required by this section."

17

18 Renumber the following subsection accordingly.

19

20 Page 6, line 19:

21 Delete ""knowingly" has"

22 Insert ""knowingly," "recklessly," and "criminal negligence" have"

23

- 1 Page 6, line 20:
- 2 Delete "meaning"
- 3 Insert "meanings"

AMENDMENT

OFFERED IN THE SENATE

BY SENATOR GUESS

TO: CSSB 106(), Draft Version "I"

- 1 Page 3, line 4, following "chemicals,":
- 2 Insert "and proof of some other evidence of illicit manufacture"
- 3
- 4 Page 3, line 8, following "precursors.", through line 22:
- 5 Delete all material.



NATIONAL CONSUMERS LEAGUE

1701 K Street, NW, Suite 1200, Washington, DC 20006
PHONE (202) 835-3323 FAX (202) 835-0747 www.nclnet.org

March 24, 2005

Re: Methamphetamine Legislation

Dear State Legislator:

National Consumers League is concerned about federal and state legislation introduced to address the very serious problem of diversion of over-the-counter drug products containing pseudoephedrine to the illicit manufacture of methamphetamine. NCL is a national nonprofit consumer advocacy organization representing consumers in the marketplace and the workplace. Founded in 1899, NCL is the nation's oldest consumer organization. Drug safety, access to medicines, and affordability have been longstanding concerns of NCL. A growing number of federal and state proposals would place pseudoephedrine in Schedule V under the Controlled Substances Act and require that cough and cold medications containing pseudoephedrine be dispensed only from behind the pharmacy counter.

NCL is concerned that in the important fight against illicit methamphetamine manufacture, access to primary healthcare products is maintained, including availability of safe, effective, and affordable medicines. Any restrictions that are placed on OTC drug products containing pseudoephedrine must be no more than necessary and practical. To do otherwise will limit therapeutic choices and could increase healthcare costs for consumers.

If sales of OTC drug products containing pseudoephedrine must be restricted because of their misuse, the burden of such restrictions should not be borne by consumers who depend on and properly use the products. Pseudoephedrine is a versatile medicine and one which the Food and Drug Administration has determined can be used safely and effectively through self-care of the patient. Decongestants are an everyday household product found in most family medicine cabinets. People need and use decongestants for common colds as well as treatment of seasonal and other allergies. The broad array of OTC products containing pseudoephedrine underscores the fact that large numbers of Americans have come to rely on these self-care products for safe, effective, and affordable relief.

Pseudoephedrine as a decongestant is also often coupled with antihistamines, such as in Sudafed® and Sinutab®. Reformulation of these products without pseudoephedrine, which also has stimulant effects, will leave consumers only with products that may cause drowsiness. This will result either in increased dangers for persons who take these medications, or consumers that must suffer from easily treated conditions because they cannot take the chance of falling asleep.

Not all OTC pseudoephedrine products are equally amenable to diversion; liquids, liquid capsules and gel capsules, as well as certain products that combine pseudoephedrine with other active ingredients, are much less useful in the illicit manufacture of methamphetamine. Several of

the bills do provide for sales by persons other than pharmacists when the absence of a pharmacy to distribute these products in a community would create a hardship. NCL, however, has significant concerns regarding the implementation of these provisions. Many rural and economically disadvantaged communities in America are underserved by pharmacies or large retail chains with pharmacies. Sometimes it is the local convenience or small grocery store which is the source of OTC drugs for rural populations. Under the proposed legislation, the decision on what constitutes a hardship is left undefined. Consumers should not be limited to safe and effective medicines based on where retailers decide to have a pharmacist on duty.

Conversion of these products to pharmacy-only status would have other direct and indirect effects, all of which would restrict therapeutic choices and raise healthcare costs. Pharmacies are generally served under a different distribution system, often by different distribution companies, than other retailers of OTC drug products. Pharmacy shelf space is limited. Manufacturers and distributors of these OTC drug products would be required to alter their distribution practices, and a significant portion could be effectively forced off the market because of simple lack of room. While decreasing the overall amount of product available may have some small impact on misuse of the product, the more likely effect would be a lessening of competition for these OTC drug products and potential price increases.

If restrictions are necessary, they should be tailored to the problem at hand, which is diversion of OTC drug products to illicit methamphetamine manufacture. This criminal activity relies on access to large quantities of OTC pseudoephedrine. NCL believes that retail transactions can be controlled by responsible retailers through a number of means. California, for example, has witnessed a significant reduction in clandestine laboratory seizures after tightening the single retail transaction limit on OTC drug products containing pseudoephedrine. A recently enacted Illinois law, ILL. ANN. STAT. ch. 720, § 647/1 (2004), is another good example of reasonable measures that could be employed. It provides for the following:

- Retail sales are limited to 2 packages or 6 grams per transaction.
- Self-service transactions are subject to special procedures that stop purchases over the retail limit.
- Single active ingredient products may only be displayed for sale
 - behind a store counter (not a pharmacy counter) that is not accessible to consumers; or
 - in a locked case that requires assistance by a store employee for customer access.
- Multi-active ingredient products may
 - be displayed behind a store counter (not a pharmacy counter), not accessible to consumers;
 - be displayed in a locked case that requires assistance by a store employee for customer access;
 - be sold if the retailer requires the customer to show ID and sign a log; or
 - be sold from the sales floor if the retailer adopts at least two of the following four options:
 - product must be kept within 30 feet and direct line of sight of a cash register or store counter staffed by one or more store employees;
 - reliable anti-theft devices are used on packages;
 - restricted access shelving is used so that only one package may be

removed by a consumer at a time and a delay of at least 15 seconds occurs between package replacement on shelf;

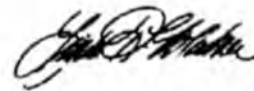
□ affected product is kept under constant video surveillance.

- Liquids, liquid cap, and gel caps product containing pseudoephedrine are exempt.
- Retail personnel must be trained and certified with respect to special procedures used in the sale of covered OTC drug products containing pseudoephedrine.

Your State Legislature should consider similar features in regulating retail distribution of OTC drug products containing pseudoephedrine.

NCL looks forward to the opportunity to work with you to address the serious problem of illicit methamphetamine manufacture while preserving safe, effective, and affordable medicines for the American consumer.

Sincerely,



Linda F. Golodner
President

FISCAL NOTE

STATE OF ALASKA
2005 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: SB 106
 () Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: Administration
 Title An Act relating to sale, possession,... RDU Legal and Advocacy Services
of methamphetamine. Component Public Defender Agency
 Sponsor Sens. Guess, Ellis, Elton,...
 Requester Senate Judiciary Component No. 1631

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
Personal Services	*	*	*	*	*	*
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	*	*	*	*	*	*

CAPITAL EXPENDITURES						
-----------------------------	--	--	--	--	--	--

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

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	*	*	*	*	*	*
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	*	*	*	*	*	*

Estimate of any current year (FY2005) cost: 0.0
 Mark this box (X) if funding for this bill is included in the Governor's FY 2006 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This bill amends the crime of misconduct involving a controlled substance in the second degree, a class A felony, to include delivering to another person any amount of an immediate precursor of methamphetamine or a listed chemical, including pseudoephedrine in certain amounts, with knowledge that the other person intends to manufacture a product containing methamphetamine or its immediate precursor. It also makes it a C felony to purchase or possess restricted amounts of pseudoephedrine. The Agency's operations will be fiscally impacted should this bill be enacted. The Agency has seen a recent increase in appointments concerning methamphetamine cases. In addition, making it a felony to purchase, possess, deliver or manufacture restricted amounts of pseudoephedrine will increase the caseload of the Agency, but the extent of the impact is not possible to predict with any accuracy, therefore an indeterminate fiscal note is submitted.

Prepared by: Linda K. Wilson, Deputy Director Phone: (907)334-4416
 Division: Public Defender Agency Date/Time: 3/30/05 8:10 AM
 Approved by: Michael Tibbles, Deputy Commissioner Date: 3/30/2005
 Agency: Department of Administration

FISCAL NOTE

STATE OF ALASKA
2005 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: SB 106
 () Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: Commerce
 Title Sale of Methamphetamine RDU Occupational Licensing (117)
and Precursors Component Occupational Licensing
 Sponsor Guess, Ellis, Elton, Dyson, Kookesh
 Requester Senate Judiciary Component No. 2360

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below

OPERATING EXPENDITURES	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
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						
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CHANGE IN REVENUES (1156)	0.0	0.0	0.0	0.0	0.0	0.0
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other 1156 - Receipt Supported Services	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2005) cost: 0.0
 Mark this box (X) if funding for this bill is included in the Governor's FY 2006 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

SB 106 establishes requirements for the manufacture, wholesaler, and distributor of certain chemicals relating to methamphetamine; and to keep complete records of all transactions involving those products and to make those records available for inspection by law enforcement officers. New funding is not required to implement the provisions of this bill.

Prepared by: Jennifer Strickler, Administrative Manager Phone (907) 465-2144
 Division: Occupational Licensing Date/Time 3/29/05 6:57 PM
 Approved by: Edgar Blatchford, Commissioner Date 3/29/2005
 Agency: Commerce, Community, and Economic Development

FISCAL NOTE

STATE OF ALASKA
2005 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: SB106-DPS-ASTD-3-29-05
 () Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: Public Safety
 Title: "Act relating to sale, possession and delivery of RDU: Alaska State Troopers
certain substances and precursors used in..." Component: AST Detachments
 Sponsor: Sen. Guess
 Requester: Senate Judiciary Component No.: 2325

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below

OPERATING EXPENDITURES	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
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)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2005) cost: 0.0
 Mark this box (X) if funding for this bill is included in the Governor's FY 2006 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

Passage of this Act will have an indeterminate fiscal impact on the Department of Public Safety (DPS).

This bill increases some penalties for possession and delivery of methamphetamine and/or its precursor's by amending present statutes but also adds new sections that address possession or purchase of restricted amounts of pseudoephedrine. It also creates a central repository within DPS that will keep track of the sale of products containing ephedrine, pseudoephedrine, or phenylpropanolamine sold at wholesalers manufacturers, or distributors of drug products by requiring them to confirm the identity of the purchaser.

Setting up and maintain the central registry is what causes the indeterminate fiscal note for DPS.

Prepared by: Lieutenant Todd Sharp Phone 907-269-4532
 Division: Alaska State Troopers Date/Time 3/29/05 1:17 PM
 Approved by: Commissioner William Tandeske Date 3/29/2005
 Agency: Department of Public Safety

Note: These statistics were provided by Sgt. Tim Birt of the Alaska State Troopers.

Methamphetamine

Sells for \$150 gram in Southeast, Southcentral, and Interior Alaska (28.5 grams equals \$4,275 per oz)
\$15 per du if you make your own.

Precursor/ Ephedrine/ Pseudoephedrine

One unit of precursor (*psuedoephedrine*) equals ¼ unit of product (*methamphetamine*)

Dosage Units

The Drug Enforcement Administration recognizes a dosage unit as 5 mg(s)

A street level dosage unit as consumed by a user is approximately 100 mg(s)

Cold Tablets

Source for precursor and sold in 30, 60, 120 mg tablets. Packages contain 10 to 96 tablets.

Nine grams

3.125 packages of 96 count 30-mg tablets equals 300 tablets.

300 count 30 mg tablets equals 9,000 mg(s).

9,000 mg(s) equals 9 grams.

9 grams precursor (*psuedoephedrine*) equals 6.75 grams of methamphetamine

6.75 grams methamphetamine equals 1,350 du (DEA)
6,750 divide by 5 = 1,350

6.75 gram methamphetamine equals 67.5 du (street level)
(6,750 divide by 100 = 67.5)

6.75 grams of methamphetamine X \$150 gram = \$1,012.5 The four boxes of precursor cost \$53.96.

Six grams

2.08 packages of 96 count 30-mg tablets equals 200 tablets.

200 count 30 mg tablets equals 6,000 mg.

6,000 mg equals 6 grams

6 grams precursor (*psuedoephedrine*) equals 4.5 grams of methamphetamine.

4.5 grams of methamphetamine equals 900 du (DEA)
4,500 divide by 5 = 900

4.5 grams of methamphetamine equals 45 du (street level)
4,500 divide by 100 = 45

4.5 grams of meth X \$150 gram = \$675 The three boxes of precursor cost \$40.

1,000 mg = 1 gram

28.5 grams = 1oz

16 oz = 1 pound

JUNEAU EMPIRE

MONDAY
March 28, 2005
50 cents

com

The voice of Alaska's capital city since 1912

Volume 94 No. 74

In the heartland, children pay the price for their parents' meth addiction

EDITOR'S NOTE — Once a scourge only in scattered pockets of America, methamphetamine is now fueling an epidemic that has branched out from the West through the heartland states, into cities, suburbs and hamlets nationwide. At least 12 million Americans have tried meth, one of the most addictive of all illegal drugs.

By **DAVID CRARY**
THE ASSOCIATED PRESS

OTTUMWA, Iowa — Jittery babies, mistreated toddlers, strung-out mothers: Cheryll Jones' pediatric nursing practice is far from what it was when she started out 30 years ago — long before methamphetamine invaded this riverside Corn Belt town.

"If anybody told me my primary case-load would be kids exposed to illicit drugs, I'd have said they were crazy," said Jones, who now runs a local task force helping the most helpless victims of the nation's meth epidemic — small children whose parents make and use the highly addictive drug.

The scars are inflicted in myriad

Web links

For more, go to Iowa Drug Endangered Children program:
www.iowadec.org/

ways: Exposure to the drug in the womb, contamination from toxic chemicals used in home-based meth manufacture, explosions and fires, long-term neglect from parents obsessed with their drug habits, physical abuse and sexual abuse. Many of the meth-lab homes are filthy, often strewn with drug paraphernalia and pornography; meth-making chemicals have been found in diaper bags and toy chests.

"I've been in homes where you'd find jars of meth oil in the refrigerator, but no milk, no bread for the kids," said Marvin Van Haaften, a former county sheriff who is now Iowa's drug policy coordinator.

The meth epidemic took root on the

Please see **METH**, Page A8



CHARLIE NEIBERGALL / THE ASSOCIATED PRESS

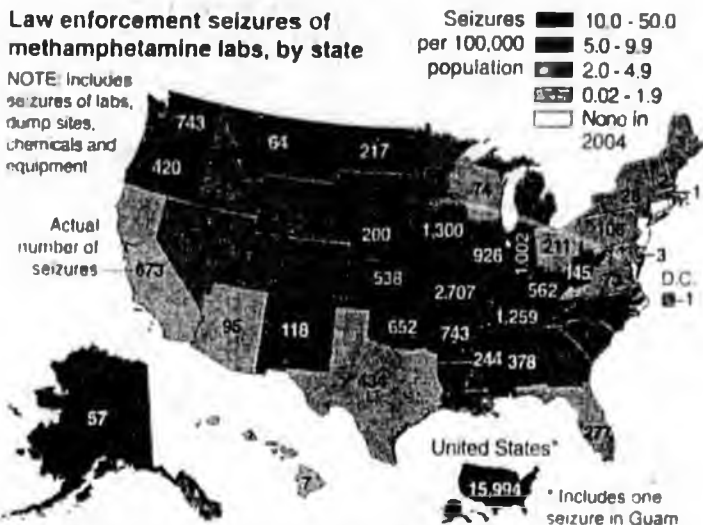
Meth expert: Dr. Rizwan Shah holds 11-month-old meth-affected Domonick Chiodo during an exam last month at Blank Children's Hospital in Des Moines, Iowa. Dr. Shah, a pediatrician at the hospital, encountered her first child exposed to methamphetamine in 1993 and has studied more than 500 of them since while becoming a respected expert on the phenomenon.

Meth's affliction felt in nation's heartland

In 2004, authorities made nearly 18,000 seizures related to clandestine methamphetamine labs, many of which were in the Midwest. The meth epidemic affects both cities and rural areas, where meth "cookers" have more space to operate undetected.

Law enforcement seizures of methamphetamine labs, by state

NOTE: Includes seizures of labs, dump sites, chemicals and equipment



SOURCE: Drug Enforcement Agency

AP

Meth: More than 50,000 labs shut down since 2001

Continued from Page A1

West Coast, and is now worsening in many big cities nationwide. But nowhere is its heartbreaking toll on young children more evident than in the towns and small cities of America's heartland — notably Iowa, Missouri, Tennessee, Arkansas, Oklahoma, Kentucky and Indiana.

Nationally, authorities have dismantled more than 50,000 clandestine meth labs since 2001, including some 4,000 in Iowa. Roughly 30 percent were "mom and pop" labs in homes where children live.

Thousands of children across the country have been taken away from their meth-abusing parents in recent years, placed with relatives or shifted into already overloaded foster care systems. Scores have been injured, a dozen or more killed; thousands have been born with traces of meth in their bodies.

Dr. Rizwan Shah, a pediatrician at Blank Children's Hospital in Des Moines, encountered her first meth-exposed child in 1993 and has studied more than 500 of them since, becoming a respected expert on the phenomenon.

She stresses that the prognosis for meth-exposed kids varies

The reality was less rosy. She recalled the boyfriend abusing her in the children's presence, grabbing her daughter by the hair, smashing the kids' games with a hammer.

"I was an awful parent," said Salisbury, now a substance abuse counselor.

Salisbury and Armstrong were luckier than the many meth-abusing parents who permanently lose custody of their children.

Iowa courts have handled scores of meth cases recently in which parental rights were terminated. In one case, a father was arrested and a brick of meth seized as authorities evacuated two dirty, lice-infested girls — aged 3 1/2 and 2 1/2 — who had not been potty trained and still drank from baby bottles.

Carol Gutchewsky, a regional supervisor of state social workers, said addict parents trying to keep their children sometimes run out of time — if a child's temporary relocation stretches past 22 months, the state is obligated by federal regulations to seek termination of parental rights.

"It takes a long time to beat meth," Gutchewsky said. "While parents are going through the treatment process, and maybe

widely, and strives to prevent them from being stereotyped. Some suffer serious brain damage and others experience long-lasting development problems, while many will grow into adults without serious health consequences, she said.

But what's beyond doubt, Shah says, is that pregnant women using meth are harming their babies.

"The brain gets hijacked by the drug," she said, describing patterns of overstimulation and disrupted sleep cycles among infants, as well as hyperactivity and attention-deficit disorder among meth-exposed school children.

One 2-year-old boy Shah treats must be fed through a tube to his stomach because meth exposure left him unable to swallow properly.

The mothers Shah meets often evoke meth's powerful lure — an initial burst of energy, a sudden and welcome ability to lose weight.

"Some of these women are trying to be good mothers," she added. "But when you're high on meth, you don't take of yourself or your family. The older kids are parenting the younger ones and also parenting the parent. They lose their childhood to become caretakers."

Ottumwa, a meatpacking and slaughterhouse town of 25,000 in southeast Iowa, has become a focal point of the state's efforts to aid meth-affected children, both because of the steady caseload at Cheryll Jones' clinic and because it is home to the country's first Moms Off Meth group — a self-help program for mothers trying to confront their addiction and reorder their lives.

Sue Armstrong's children were ages 9, 4 and 3 when she started heavy meth use seven years ago.

"It made me feel able to do everything," she said. "Then it stopped working, but I kept using it to cover up the shame I felt."

Armstrong's children were placed with relatives for 18 months. Now she has them back after kicking her habit and getting a job at a battered women's shelter.

Kris Salisbury, another Moms Off Meth participant, had a 2-year-old daughter when she started using meth in 1986. She bore twins in 1988, but used meth 10 more years until police raided her home where she and her live-in boyfriend operated a meth lab.

"There I was, sometimes, thinking I was a wonderful parent because my oldest daughter would have hundreds of dollars I'd given her and could take the twins to the movies," Salisbury said.

having a relapse, the clock is ticking. The best interests of the child may be on a collision course with the parents' treatment."

The coordinator of Iowa's year-old Drug Endangered Children program, assistant attorney general Mary Chavez, empathizes with parents in such predicaments and hopes politicians provide funds to expand and improve treatment programs.

"But we want to keep the focus on the children," Chavez said. "You'll find that no matter how horrendous their lifestyle, no matter how neglectful they are, parents always think their kids are best off with them. We have solid findings otherwise."

Under Iowa's current policies, the Department of Human Services has some discretion as to removing meth-exposed children from home or giving addicted parents a chance to kick the habit.

The number of meth-affected kids in the United States is difficult to calculate; experts say it is many thousands per year.

In Iowa, 5,887 children since 2001 have figured in abuse cases that directly involve illegal drugs, mostly meth — either traces of drugs were found in their bodies or they were present while their parents manufactured meth. But that figure does not cover a range of other cases in which the abuse was classified as neglect, even though the parents' conduct stemmed from meth use.

An ominous barometer was provided by Gutchewsky, who calculated that meth played a role in roughly half the serious child-abuse cases in her 16-county region — 720 of 1,409 active, long-term cases. If that ratio applied statewide, Iowa would be experiencing more than 6,000 meth-related child abuse cases per year.

Iowa officials are blunt about the difficulties of properly caring for meth-exposed children and combating the underlying drug epidemic. An effective response requires coordinated action by law enforcement officers, hazardous-material cleanup crews, health and social service agencies, substance-abuse programs, the courts and legislature.

Mary Chavez tries hard to be optimistic, insisting that — with proper resources — Iowa's meth-exposed children have bright futures. The alternative, she admits, is bleak.

"All they've been is neglected. All they've ever seen is the unacceptable," she said. "If we don't do something, they're going to be filling up Iowa's prisons in a few years."



ALASKA STATE LEGISLATURE
SENATOR GRETCHEN GUESS

Memorandum

Date: March 16, 2005

To: Senator Ralph Seekins, Chairman
Senate Judiciary Committee

From: Senator Gretchen Guess

Re: Hearing Request for SB 106

Please consider this memorandum a formal request for a hearing of Senate Bill 106, *"An Act relating to controlled substances; relating to the crimes of manslaughter, endangering the welfare of a child, and misconduct involving a controlled substance; relating to the manufacture of methamphetamine and to the sale, possession, and delivery of certain substances and precursors used in the manufacture of methamphetamine; relating to certain anabolic steroids as controlled substances and providing for an effective date."*

This bill limits the sale of pseudoephedrine (Sudafed), iodine, and iodine crystals, crucial ingredients in methamphetamines, to not more than nine grams per person in a 30-day period. It also creates harsher penalties for individuals producing controlled substances such as methamphetamine in the presence of children, and makes certain anabolic steroids schedule VA controlled substances.

If you have any questions regarding SB 106, please feel free to contact me or my aide, Ryan Jager, at x2435.

Thank you very much for your consideration.

24-LS0588U
Luckhaupt
3/24/05

CS FOR SENATE BILL NO. 106()
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-FOURTH LEGISLATURE - FIRST SESSION

BY

Offered:
Referred:

Sponsor(s): SENATORS GUESS, Ellis, Elton, Dyson, Kookesh

A BILL
FOR AN ACT ENTITLED

1 "An Act relating to the manufacture of methamphetamine and to the sale, possession,
2 and delivery of certain substances and precursors used in the manufacture of
3 methamphetamine; and providing for an effective date."

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

5 * Section 1. AS 11.71.020(a) is amended to read:

6 (a) Except as authorized in AS 17.30, a person commits the crime of
7 misconduct involving a controlled substance in the second degree if the person

8 (1) manufactures or delivers any amount of a schedule IA controlled
9 substance or possesses any amount of a schedule IA controlled substance with intent
10 to manufacture or deliver;

11 (2) manufactures any material, compound, mixture, or preparation that
12 contains

13 (A) methamphetamine, or its salts, isomers, or salts of isomers;

14 or

1 (B) an immediate precursor of methamphetamine, or its salts,
2 isomers, or salts of isomers;

3 (3) possesses an immediate precursor of methamphetamine, or the
4 salts, isomers, or salts of isomers of the immediate precursor of methamphetamine,
5 with the intent to manufacture any material, compound, mixture, or preparation that
6 contains methamphetamine, or its salts, isomers, or salts of isomers; [OR]

7 (4) possesses a listed chemical with intent to manufacture any material,
8 compound, mixture, or preparation that contains

9 (A) methamphetamine, or its salts, isomers, or salts of isomers;

10 or

11 (B) an immediate precursor of methamphetamine, or its salts,
12 isomers, or salts of isomers;

13 (5) possesses methamphetamine in an organic solution with intent
14 to extract from it methamphetamine or its salts, isomers, or salts of isomers; or

15 (6) under circumstances not proscribed under AS 11.71.010(a)(2),
16 delivers

17 (A) an immediate precursor of methamphetamine, or the
18 salts, isomers, or salts of isomers of the immediate precursor of
19 methamphetamine, to another person with reckless disregard that the
20 precursor will be used to manufacture any material, compound, mixture,
21 or preparation that contains methamphetamine, or its salts, isomers, or
22 salts of isomers; or

23 (B) a listed chemical to another person with reckless
24 disregard that the listed chemical will be used to manufacture any
25 material, compound, mixture, or preparation that contains

26 (i) methamphetamine, or its salts, isomers, or salts of
27 isomers;

28 (ii) an immediate precursor of methamphetamine, or
29 its salts, isomers, or salts of isomers; or

30 (iii) methamphetamine or its salts, isomers, or salts
31 of isomers in an organic solution.

1 * Sec. 2. AS 11.71.020 is amended by adding a new subsection to read:

2 (d) In a prosecution under (a) of this section, possession of more than nine
3 grams of the listed chemicals ephedrine, pseudoephedrine, phenylpropanolamine, the
4 salts, isomers, or salts of isomers of those chemicals, is prima facie evidence that the
5 person intended to use the listed chemicals to manufacture, to aid or abet another
6 person to manufacture, or to deliver to another person who intends to manufacture
7 methamphetamine, its immediate precursors, or the salts, isomers, or salts of isomers
8 of methamphetamine or its immediate precursors. The prima facie evidence described
9 in this subsection does not apply to a person who possesses the listed chemicals
10 ephedrine, pseudoephedrine, phenylpropanolamine, or the salts, isomers, or salts of
11 isomers of those chemicals

12 (1) and the listed chemical was dispensed to the person under a valid
13 prescription; or

14 (2) in the ordinary course of a legitimate business, or an employee of a
15 legitimate business, as a

16 (A) retailer or as a wholesaler;

17 (B) wholesale drug distributor licensed by the Board of
18 Pharmacy;

19 (C) manufacturer of drug products licensed by the Board of
20 Pharmacy;

21 (D) pharmacist licensed by the Board of Pharmacy; or

22 (E) health care professional licensed by the state.

23 * Sec. 3. AS 11.71.030(a) is amended to read:

24 (a) Except as authorized in AS 17.30, a person commits the crime of
25 misconduct involving a controlled substance in the third degree if the person

26 (1) under circumstances not proscribed under AS 11.71.020(a)(2) - (6)
27 [AS 11.71.020(a)(2) - (4)], manufactures or delivers any amount of a schedule IIA or
28 IIIA controlled substance or possesses any amount of a schedule IIA or IIIA controlled
29 substance with intent to manufacture or deliver;

30 (2) delivers any amount of a schedule IVA, VA, or VIA controlled
31 substance to a person under 19 years of age who is at least three years younger than

1 the person delivering the substance; or

2 (3) possesses any amount of a schedule IA or IIA controlled substance

3 (A) with reckless disregard that the possession occurs

4 (i) on or within 500 feet of school grounds; or

5 (ii) at or within 500 feet of a recreation or youth center;

6 or

7 (B) on a school bus.

8 * Sec. 4. AS 11.71 is amended by adding a new section to article 2 to read:

9 **Sec. 11.71.210. Purchase or receipt of restricted amounts of certain listed**
10 **chemicals.** (a) A person commits the crime of purchase or receipt of restricted
11 amounts of certain listed chemicals if the person purchases or receives more than nine
12 grams of the following listed chemical, its salts, isomers, or salts of isomers within
13 any 30-day period:

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

15 (2) pseudocphedrine under AS 11.71.200(13);

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

17 (b) This section does not apply to a person who lawfully purchases or receives
18 more than nine grams of a listed chemical identified in (a) of this section

19 (1) that was dispensed to the person under a valid prescription; or

20 (2) in the ordinary course of a legitimate business, or to an employee
21 of a legitimate business, as a

22 (A) retailer or as a wholesaler;

23 (B) wholesale drug distributor licensed by the Board of
24 Pharmacy;

25 (C) manufacturer of drug products licensed by the Board of
26 Pharmacy;

27 (D) pharmacist licensed by the Board of Pharmacy; or

28 (E) a health care professional licensed by the state.

29 (c) Purchase or receipt of restricted amounts of certain listed chemicals is a
30 class C felony.

31 * Sec. 5. AS 17.30 is amended by adding a new section to article 1 to read:

1 **Sec. 17.30.090. Dispensation of and registration and record requirements**
2 **for certain listed chemicals.** (a) A wholesaler, manufacturer, or distributor of
3 products containing ephedrine, pseudoephedrine, or phenylpropanolamine, or their
4 salts, isomers, or salts of isomers, or iodine or crystal iodine, shall keep complete
5 records of all transactions involving those products, including the names of all parties
6 involved in the transaction, the date of the transaction, and the amount of the drug
7 products involved. The records shall be kept readily retrievable and separate from all
8 other invoices or records of transactions not involving those products and shall be
9 maintained for not less than three years and must allow for in-person inspection of the
10 records by law enforcement officers.

11 (b) A retailer of a product or substance that contains a detectable quantity of
12 ephedrine, pseudoephedrine, or phenylpropanolamine, their salts, isomers, or salts of
13 isomers, iodine, or crystal iodine may not dispense the substance unless the retailer
14 confirms the identity of the person by valid government-issued photo identification
15 and the retailer requires the purchaser to sign a written log completed by the retailer
16 showing the date of the transaction, name of the purchaser, type of identification and
17 the identification number, and the amount dispensed. The Department of Public
18 Safety and other law enforcement officers shall be allowed access to this log upon
19 request.

20 (c) A person may not offer to sell a product or substance that contains
21 ephedrine, pseudoephedrine, or phenylpropanolamine, or their salts, isomers, or salts
22 of isomers, iodine, or crystal iodine unless that product is displayed behind a service
23 counter and not accessible to the public or in a secured cabinet or storage area that
24 may only be accessed by the seller.

25 (d) Notwithstanding (a) of this section, if a municipality enacts an ordinance
26 requiring wholesalers, manufacturers, and distributors to report the information
27 maintained under (a) of this section, each wholesaler, manufacturer, and distributor
28 shall regularly report that information to the municipal police department at intervals
29 required in the ordinance.

30 (e) In this section,

31 (1) "distributor" means a person in the state or another state, other than

1 a manufacturer or wholesaler, who sells, delivers, transfers, or in any manner furnishes
2 a drug product described in (a) of this section to a person who is not the ultimate user
3 or consumer of the product;

4 (2) "manufacturer" means a person in the state who produces,
5 compounds, packages, or in any manner initially prepares for sale or use a drug
6 product described in (a) of this section, or a person in another state if the person causes
7 the products to be compounded in, packaged in, or transported to this state;

8 (3) "readily retrievable" means available for inspection without prior
9 notice at the registration address if that address is in the state; if the registration
10 address is outside the state, "readily retrievable" means records must be furnished
11 within three working days by courier, facsimile, mail, or electronic mail;

12 (4) "wholesaler" means a person in the state or another state, other than
13 a manufacturer, who sells, transfers, or in any manner furnishes a drug product
14 described in (a) of this section to another person in the state for the purpose of the drug
15 product's being resold.

16 (f) A violation of (a), (b), or (c) of this section is a class A misdemeanor,
17 punishable upon conviction only by a fine in an amount not to exceed \$10,000. A
18 wholesaler, manufacturer, or distributor that knowingly fails to report as required by
19 (d) of this section is guilty of a violation. In this subsection, "knowingly" has the
20 meaning given in AS 11.81.900(a).

21 * Sec. 6. The uncodified law of the State of Alaska is amended by adding a new section to
22 read:

23 APPLICABILITY. This Act applies to offenses committed on or after the effective
24 date of this Act.

25 * Sec. 7. This Act takes effect July 1, 2005.



ALASKA STATE LEGISLATURE
SENATOR GRETCHEN GUESS

Sponsor Statement
CS for Senate Bill 106

"An Act relating to controlled substances; relating to the crimes of manslaughter, endangering the welfare of a child, and misconduct involving a controlled substance; relating to the manufacture of methamphetamine and to the sale, possession, and delivery of certain substances and precursors used in the manufacture of methamphetamine; relating to certain anabolic steroids as controlled substances and providing for an effective date."

The purpose of Senate Bill 106 is to curb the production of methamphetamine (commonly known as "meth"), protect children from drug production, and restrict anabolic steroids.

Sadly, the production of meth is on the rise in Alaska. Methamphetamines are highly addictive, easy to make, and production continues to increase dramatically in Alaska. According to the Department of Public Safety, meth lab seizures and distribution arrests have increased by over 400 percent since 2001. Two of the crucial household ingredients in meth are pseudoephedrine, commonly known as the cold remedy Sudafed, as well as iodine or crystal iodine.

SB 106 limits possession of ephedrine, pseudoephedrine, phenylpropanolamine, iodine, or iodine crystals to less than nine grams per person. Possession of more than nine grams of these substances will be presumptive evidence of intent to manufacture or aid in the manufacture of meth, and will be defined as a class A misdemeanor. Receipt or purchase of more than nine grams of these substances in a 30-day period will be a Class C felony. Although limiting pseudoephedrine purchases in a 30-day period may seem excessive, nine grams of Sudafed is an amount sufficient for a person to take the drug as directed, every day for a month. None of the limitations or penalties in SB 106 will apply to persons receiving more than nine grams of these substances in the course of legitimate business, nor to a person possessing a valid prescription.

SB 106 will also require a person who purchases drugs containing ephedrine, pseudoephedrine, or phenylpropanolamine, as well as those purchasing iodine or iodine crystals, to show a photo ID and sign a written log or receipt relating to the sale. Any business distributing these chemicals will have to keep these logs for three years and make them readily available to law enforcement. These records will help law enforcement track purchases of these immediate precursors to methamphetamine, so they can catch and prosecute meth producers. Additionally, in the interest of local control, municipalities will have the authority to pass ordinances requiring local businesses to report sales records to municipal law enforcement agencies.

Limiting access to pseudoephedrine and iodine, and giving law enforcement access to sales records are reasonable methods of curbing methamphetamine production. Oklahoma enacted legislation similar to this bill in 2004, and they have seen a dramatic (purportedly 80 percent) decrease in meth lab busts.

Additionally, SB 106 will make certain anabolic steroids schedule VA controlled substances. Thank you for your consideration of SB 106.



ALASKA STATE LEGISLATURE
SENATOR GRETCHEN GUESS

Sectional Summary
CS for SB 106

" An Act relating to controlled substances; relating to the crimes of manslaughter, endangering the welfare of a child, and misconduct involving a controlled substance; relating to the manufacture of methamphetamine and to the sale, possession, and delivery of certain substances and precursors used in the manufacture of methamphetamine; relating to certain anabolic steroids as controlled substances and providing for an effective date."

- Section 1:** Makes it a crime of manslaughter for a person to knowingly manufacture or deliver a controlled substance to another person who dies as a direct result of ingesting the controlled substance.
- Section 2:** Expands the definition of "building," in this section, to include any propelled vehicle or structure adapted to overnight accommodation of persons or for carrying on business and to include each unit in a multi-unit building as part of the same building.
- Section 3:** Makes the manufacture of methamphetamine in a building where one or more minor children, under the age of 18, is residing a class C felony.
- Section 4:** Clarifies the crime of contributing to the delinquency of a minor to include aiding or inducing a child to enter or remain in the presence of the manufacture, use, display, or delivery of controlled substances. This section is applicable under the circumstances outlined in Section 2 and Section 3 of this bill.
- Section 5:** Makes a person guilty of a class A felony for misconduct involving a controlled substance in the second degree, if the person possesses methamphetamine in an organic solution with the intent to extract meth, or delivers an immediate precursor of methamphetamine or a listed chemical to another person with reckless disregard for the recipient's intent to use the chemical or precursor to produce methamphetamine.
- Section 6:** Makes possession of nine grams or more of pseudoephedrine, iodine, or crystal iodine prima facie evidence a person intended to use these chemicals to manufacture methamphetamine or to assist another person with the manufacture of methamphetamine. This does not apply to individuals who possess these listed chemicals in the course of conducting legitimate business, nor does it apply to individuals who possess a valid prescription.
- Section 7:** The crime of misconduct involving a controlled substance in the third degree applies to circumstances not proscribed in new sections of this bill.

- Section 8:** Makes certain anabolic steroids a schedule VA controlled substance.
- Section 9:** Limits the amount of pseudoephedrine, iodine, or crystal iodine a person can purchase to not more than nine grams within a 30-day period. Makes purchase or receipt of more than nine grams of the aforementioned chemicals a class C felony. This section does not apply to individuals who purchase or receive more than nine grams of these listed chemicals in the course of conducting legitimate business, nor does it apply to individuals who possess a valid prescription.
- Section 10:** Amends the definition of a "recreation or youth center" to include those facilities "operated by a public or private agency to provide shelter, training, or guidance for minors."
- Section 11:** Creates distribution, registration and record-keeping guidelines for businesses involved in the dispensation of ephedrine, pseudoephedrine, phenylpropanolamine, iodine, and crystal iodine. Businesses involved in these activities must check government-issued photo identification of purchasers, require signature of a log during sales transactions, maintain records related to such transactions for not less than three years, and allow for in-person inspection of these logs by law enforcement officers. Additionally, the Department of Public Safety and other law enforcement officers will be allowed access to these records upon request, and local municipalities can enact record reporting requirements from local businesses to municipal law enforcement. Violation of this section is a class A misdemeanor, punishable upon conviction by a fine in an amount not to exceed \$10,000.
- Section 12:** This act applies to offenses committed on or after the effective date.
- Section 13:** Effective date: July 1, 2005.

FISCAL NOTE

STATE OF ALASKA
2005 LEGISLATIVE SESSION

Fiscal Note Number: _____
Bill Version: SB 106
() Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: Corrections
Title: "An act relating to... sale, possession, and RDU: Institutional Facilities
delivery of certain chemicals ... in the manufacture of meth Component: Institution Director's Office
Sponsor: Senators Guess, Ellis, Elton, Dyson, Kookesh
Requester: Judiciary, Finance Component No.: 524

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
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	0.0	0.0	0.0	0.0	0.0	0.0
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CHANGE IN REVENUES ()	0.0	0.0	0.0	0.0	0.0	0.0
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts
1003 GF Match
1004 GF
1005 GF/Program Receipts	.	.	.	.	.	.
1037 GF/Mental Health	.	.	.	.	.	.
Other (Specify Type—Do not abbreviate)	.	.	.	.	.	.
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2006) cost: 0.0

Mark this box (X) if funding for this bill is included in the Governor's FY 2006 budget proposal:

POSITIONS

Full-time	.	.	.	.	.	.
Part-time	.	.	.	.	.	.
Temporary	.	.	.	.	.	.

ANALYSIS: (Attach a separate page if necessary)

This bill amends AS 11.71.020(a) by including the manufacture, delivery, or possession of methamphetamine or certain chemicals that make up methamphetamine as a misconduct involving a controlled substance in the second degree. The bill defines the possession of six or more grams of certain chemicals used in the manufacture as evidence that the person intended to use the listed chemical to manufacture or assist in the manufacture of methamphetamine. The bill excludes licensed wholesale and retail distributors of drugs; a manufacturer of chemicals or drug products; licensed pharmacists; and licensed health care providers. The bill may increase the number of inmates in custody and may increase sentences for offenders convicted of unlawful activity covered by this legislation, but due to a lack of data and an inability to predict the number of potential prosecutions, the fiscal impact to the Department of Corrections is indeterminate.

Prepared by: Sharleen Griffin, Acting Director
Division: Administrative Services
Approved by: Portia C.K. Parker, Deputy Commissioner
Agency: Department of Corrections

Phone: 465-4641
Date/Time: 3/26/05 9:52 AM
Date: 3/26/2005

FISCAL NOTE

STATE OF ALASKA
2005 LEGISLATIVE SESSION

Fiscal Note Number: _____
Bill Version: SB106-LAW-CDCO-3-4-I
() Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: LAW
Title: "An Act relating to sale, possession, and
delivery of certain substances and precursors..." RDU: CRIMINAL
Sponsor: Senator Guess Component: Criminal Justice Litigation
Requester: Senate Judiciary Component No.: _____

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
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						
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CHANGE IN REVENUES ()						
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2005) cost: 00
Mark this box (X) if funding for this bill is included in the Governor's FY 2006 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This bill amends AS 11.71.020(a) by making it a class A felony to deliver a listed chemical or a precursor of meth, knowing that the person to whom it is delivered intends to use it to manufacture meth. The bill also would make it a class C felony to possess or obtain more than nine grams of pseudoephedrine or certain chemical precursors of meth, unless the possession is under a valid prescription, or other exception such as a licensed wholesale and retail distributors of drugs; a manufacturer of chemicals or drug products; licensed pharmacists; and licensed health care providers. The bill adds new sales log, identification checking, and record keeping requirements for all sellers of meth precursors such as pseudoephedrine and also requires such distributors to register annually with the Department of Public Safety and submit certain specified information to a central repository kept by DPS.

Prepared by: Kathryn Daughhete, Director Phone: 465-3673
Division: Administrative Services Division Date/Time: 3/28/05 2:48 PM
Approved by: K. Daughhete for Scott Nordstrand, Acting Attorney General Date: 3/28/2005
Agency: Department of Law

FISCAL NOTE

STATE OF ALASKA
2005 LEGISLATIVE SESSION

BILL NO. _____

ANALYSIS CONTINUATION

Under the bill convicted violators of the sales log and other requirements would be guilty of a Class A misdemeanor and punished with a fine not to exceed \$10,000. Passage of this legislation will have no foreseeable fiscal impact on the Department of Law.



ALASKA STATE LEGISLATURE
SENATOR GRETCHEN GUESS

Memorandum

Date: March 16, 2005

To: Senator Ralph Seekins, Chairman
Senate Judiciary Committee

From: Senator Gretchen Guess

Re: Background Information and Supporting Documentation

The following is a list of the supporting documentation and background information I am submitting along with my request for hearing of Senate Bill 106.

1. A letter in support of SB 106 from Paul Carr, Chief of Police for the North Slope Borough Police Department.
2. A letter in support of the enactment of legislation regulating the sale of pseudoephedrine from Cindy Bueler, Chair of the Alaska Board of Pharmacy.
3. A February 15, 2005 Anchorage Daily News Article citing a survey indicating Alaska has the highest rate of drug abuse in the nation.
4. A February 20, 2005 Anchorage Daily News Article citing the success of Oklahoma's 2004 law regulating the sale of pseudoephedrine in curbing meth production in that state.
5. The very first result yielded by searching the term "how to make meth," at the online search engine www.yahoo.com.
6. A brief from the National Conference of State Legislatures discussing the restriction of pseudoephedrine to prevent meth production.
7. A definition of Pseudoephedrine from www.drugfree.org.
8. A definition of methamphetamine from www.drugfree.org.

NORTH SLOPE BOROUGH

POLICE DEPARTMENT

P.O.Box 470
Barrow, Alaska 99723
Phone: 907-852-0311
Fax: 907-852-0318



February 22, 2005

Senator Gretchen Guess
Alaska State Legislature
State Capitol, Room 423
Juneau, AK 99801-1182

Re: Senate Bill 106 "An Act relating to sale, possession, and delivery of certain substances and precursors used in the unlawful manufacture of methamphetamine."

Dear Senator Guess:

I am writing in support of your efforts to control and/or reduce access to compounds and chemicals used in the illicit manufacture of methamphetamine, specifically products containing pseudoephedrine.

The use of methamphetamine among youth and young adults in Barrow is epidemic. As a result, the community has experienced a dramatic increase in crime. In order to obtain money to buy more methamphetamine, users have burglarized and robbed businesses and public facilities. Recently, a taxi driver was murdered during a robbery we believe was motivated by a users need to purchase more methamphetamine.

Information we have received during the course of our investigations disclosed that individuals are manufacturing methamphetamine here in Barrow. The methods described to us by users indicate that a pseudoephedrine reduction process is being used. Anecdotal information from the community indicates that manufacture is widespread.

When methamphetamine first became an issue in Barrow, I was surprised at the amount of information on its manufacture available on the Internet. Recipes for making methamphetamine and methods for obtaining the chemicals and precursors needed were abundant. Many of the recipes and procedures for reducing pseudoephedrine for use in the manufacture of methamphetamine are inherently dangerous. Some processes include practices such as dissolving pseudoephedrine-containing products in different solvents and evaporating the solvents over an open flame or in a microwave oven. As you can imagine, the potential for a fire or explosion is high.


I believe that reducing access to over the counter compounds containing pseudoephedrine is an important first step in combating the illicit manufacture of methamphetamine in Alaska. Iowa, Missouri, Montana, North Dakota, Oregon, Tennessee, Texas, Virginia, and Washington have already taken steps to curtail the sale of common household products that can be used in the manufacture of methamphetamine. Oklahoma made tablets containing pseudoephedrine a schedule V controlled substance meaning only pharmacies can sell them and customers must present ID and sign a log. Oklahoma reports that this has cut their number of methamphetamine labs in half.

The amount of pseudoephedrine a person may possess, as you propose in your bill, is reasonable. Six grams of pseudoephedrine is almost double the amount a person would use if a person took the recommended daily amount every day for a month. A responsible adult could easily purchase the amount of a pseudoephedrine product a family could reasonably be expected to use in 30 days. A person needing more than 6 grams of pseudoephedrine a month should be under the care of a physician and the pseudoephedrine issued under prescription.

The record keeping and reporting requirements you propose would allow for the identification of people purchasing pseudoephedrine from multiple locations and make it easier to identify persons who may be involved in the manufacture of methamphetamine. Making sure that the information collected is available to local law enforcement either from the merchant or from the collecting state agency is important. Local law enforcement is in a better position to understand what the collected information means and to identify trends.

If there is anything I can do to help you in this effort, please do not hesitate to let me know. I believe that the legislation you are proposing is an important step in reducing the number of illicit drug labs and the availability of methamphetamine in Alaska.

Sincerely,


Paul A. Carr
Chief of Police

FEB-10-2005 THU 11:03 AM

FAX NO.

P. 02



RECEIVED
FEB 07 2005
DIVISION OF
OCCUPATIONAL LICENSING
JUNEAU

DIVISION OF OCCUPATIONAL LICENSING

Frank H. Markovits, Governor

February 3, 2005

The Honorable Peggy Wilson
Chair, House HBSS Committee
State Capitol Room 108
Juneau, Alaska 99801-1182

Dear Representative Wilson:

As Chair of the Alaska State Board of Pharmacy and a practicing pharmacist, I am writing in support of the enactment of legislation to regulate the sale of "pseudoephedrine" which has become a common source of misuse in the production of methamphetamine in illegal "meth labs" in Alaska as well as elsewhere. As you may know, pseudoephedrine is the name of the decongestant in non-prescription (and some prescription) cold and sinus medicines (e.g. *Sudafed*). It is sold in pharmacies, grocery stores, convenience stores, etc.

A recent Associated Press news article from the *Arizona Republic* dated January 20, 2005 described Oklahoma's success in decreasing meth lab seizures by 80 percent from April to November of 2004 after laws to "lock up" the pseudoephedrine were enacted. An article in the *Anchorage Daily News* (excerpted from *The New York Times*) of Sunday, January 30, 2005 also addresses the subject. It appears that this approach is being considered and acted upon by states across the nation.

Pseudoephedrine is a safe and effective decongestant that needs to be available to the public, so a total ban of the substance is definitely NOT in order. What is being suggested is legislation to restrict sales exclusively to pharmacies. The product would be kept "behind the counter". It would not require a prescription, but personal identification and a signature would be required of the consumer; also there would be a limit on quantity purchased.

At the Board of Pharmacy's January 27-28, 2005 meeting, the board determined to encourage such an approach as a public safety measure. The Board of Pharmacy believes that any potential inconvenience to consumers or pharmacists would be heavily outweighed by the potential safety it would provide by shutting off the supply of a major ingredient for the illegal production of methamphetamine.

The Board of Pharmacy supports this approach and hopes that such legislation could be enacted expeditiously.

Thank you for your consideration of this matter.

Oakley

Sincerely,

Cindy Bueler

Cindy Bueler, Chair
Alaska Board of Pharmacy

Citations: "One State's Effort to Curb Meth Labs May Spur Others", *Arizona Republic*, Jan 20, 2005, p.A4.
"States Try to Fight Illegal Drug by Limiting Its Legal Source", *Anchorage Daily News*, Jan 30, 2005, p.A3.

P.O. Box 110806, Juneau, Alaska 99811-0806

Telephone: (907) 465-2534 Fax: (907) 465-2974 Text Telephone: (907) 465-5437

Email: license@commerce.state.ak.us Website: <http://www.commerce.state.ak.us/occ/>



ALASKA STATE LEGISLATURE
SENATOR GRETCHEN GUESS

Anchorage Daily News

~~D-4~~ Tuesday, February 15, 2005

Health updates

Alaska tops survey of illegal drug use

The results of a national survey released Monday showed that Alaska residents reported the highest rate of illegal drug use. The survey was conducted in 2002 and 2003 by the federal Substance Abuse and Mental Health Services Administration.

Utah reported the lowest rate of illicit drug use during the month prior to questioning as well as the lowest rate for binge drinking, said a news release. North Dakota had the highest rate of alcohol abuse.

The survey showed Alaska had the highest rate of marijuana use (16.7 percent) among those 12 and older during the year prior to questioning. The national rate for marijuana use during the past year was 10.8 percent.

To review the survey results, go to www.oas.samhsa.gov.

Law puts medicine behind the counter and meth labs fade

■ **SUDAFED:** Oklahoma sees 80 percent drop.

By **LOIS ROMANO**
The Washington Post

TULSA, Oklahoma — In the 10 months since Oklahoma pharmacies became the first in the nation to keep popular cold medications behind the counter and require identification to buy them, seizures of illegal methamphetamine labs have fallen by 80 percent, state law enforcement officials say.

Now more than 25 states — impressed with Oklahoma's success in thwarting small-scale meth production — are considering similar legislation, in the face of opposition from the pharmaceutical and retail industries. Oregon recently passed a bill, and other states are close behind.

The law classifies pseudoephedrine — an ingredient in decongestants such as Sudafed, and a vital ingredient in meth production — as a controlled substance. That takes it out of convenience stores and grocery stores and limits the amount consumers can buy at pharmacies.

"We saw the seizures of clandestine meth labs increase month after month in the state until the law was enacted in April," said Democratic Gov. Brad Henry. "The only explanation is that the law had an impact."

Methamphetamine — a powerful stimulant that impairs the central nervous system — is the latest drug scourge to capture the nation's attention. In a small Indianap... town last month, a 10-year-old girl was abducted and killed to keep her from revealing that methamphetamine was being cooked in an apartment near her home.

Known as the poor man's cocaine because of its cheap price

and lengthy high, meth has long been a drug of choice among low-income addicts. But what used to be an isolated problem in pockets of the West and in rural areas has become a top priority for law enforcement officials across the Southwest and Midwest, where meth production and use has moved from biker gangs to mainstream.

According to a 2002 National Survey on Drug Use and Health report, 12.4 million Americans ages 12 and older had tried methamphetamine at least once, with most users between 18 and 34. Last year, more than 3,000 children were rescued during seizures of more than 15,000 meth labs nationwide, according to the federal Office of National Drug Control Policy.

Similar federal laws to classify pseudoephedrine as a restricted drug have been introduced in Congress to further stem the production and distribution of the drug. Many of the proposed laws would prohibit certain cold medicine tablets from being sold anywhere but in pharmacies, would require they be kept behind the counter, and would require customers to show identification. Sales of gel and liquid pseudoephedrine are not yet restricted because there is less evidence these products are being cooked for meth.

"We hear quite a bit how inconvenient this is for the consumer, but if we can save one life from being destroyed, one child from being exposed, then what's a little inconvenience?" said Scott Rowland, general counsel for the Oklahoma Bureau of Narcotics and Dangerous Drugs.

"We're just trying to get a breather — trying to stop the mom-and-pop labs from springing up on every corner, so we can hit the larger problem with traditional law enforcement techniques."

ALASKA STATE LEGISLATURE
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 **How to make Meth** **Index:**

Materials: listed for the lava reaction only

Pre Reaction: very basic review on cleaning you ingredients for more info see wicked rains write up on E/I/RP how to get it!

The Reaction: The lava lamp reaction itself

Post Reaction: Info on what to do after the reaction

FAQ's: Its Recommended you read the all the FAQs before starting the reaction.

Why it takes time: very detailed explanation why long wet rxns work

Final thoughts: self explanatory

Materials:

- Lava lamp
- (pseudo)ephedrine
- Red Phosphorus
- Iodine
- D-H2O (Distilled Water)

Pre Reaction:

get some 25mg ephedrine pills that are easily cleaned with a TCE pull and cold dry acetone wash (be sure all the TCE is gone before adding acetone cause they react with each other, the acetone wash isn't essential, but you can never get the ephedrine clean enough).

shake the strikers in hot water, shake off the red in acetone, then muriatic acid boils on the red while outside, then wash with lots of water, wrap paper towels around the filter and squeeze dry, empty out on some paper and chop and dry well.

add 1 pint 7% tincture to 2 cups water and 2 shot glasses of muriatic acid then 1 pint hydrogen peroxide, mix well while adding, cover and let sit in closet 12 hours, then filter with double filter and wash with lots of water, wrap paper towels around it and squeeze completely dry, then wrap in dry towels and put in a jar and pour damp rid over it and let it sit a day.

The Reaction:

It's recommended you read all the FAQs before starting the lava lamp reaction.

Buy a 25 watt lava lamp (flea markets have the cheapest) with a bottle top

that can be popped or screwed off. It seems there are tops that are attached, screw off, and pop off. The screw off type is preferred, then the pop off, the attached kinds should be avoided as there is no way to take off the top without chipping the glass□.

If using homemade RP + I then...

10mL distilled water + 10g (pseudo)ephedrine (extracted well) + 7.5g red phosphorus (extracted fresh from matchbook strikers) + 15g iodine (extracted from 7% iodine tincture and dried well)

If lab grade use equal mass of iodine as ephedrine, and half the mass of red phosphorus as ephedrine. If using iodine and red phosphorus from tincture and matchbook strikers then use 50% more than if it were lab grade. Use equal mass of distilled water as ephedrine regardless.

There are 3 kinds of lava lamps there is a 40 watt, a 30 watt, and a 25 watt lamp.

As a rule of thumb, the ideal size cook is half the wattage as grams of ephedrine (40 watt is good for 20g cook, 30 watt for 15g, 25 watt for 10g-12g) and let it go 36 hours, some cooks (especially smaller than ideal) can be done in 24 hours (just check it and make sure the RP sinks to the bottom like bricks, and all the other signs of the reaction being done). The size of cook can be increased slightly but will need to increase time of cook as well. It's recommended to just get more lamps though than try bigger cooks.

Tape a punch balloon to the top of the lava lamp.

After 48 hours check it and make sure if it is ready, then work it up as usual

Gassing, washing, and recrystallization is a very good idea

Yields vary, but expect 5g minimum, more like 6g

unsure what the inside temperature of the lava lamp will be, and sure to vary from lamp to lamp, but if you want to be sure the reaction will take place then you will need to check the temp inside the bottle.

Measure the temp after an hour (when it usually is going good as a lava lamp), and go from there

I would suggest that you try it first with just some water in your lava lamp, and a thermometer suspended with a string or something, so you can find out what temperature a 25w bulb will produce. You might have to wait a few hours before you take a reading. That way you'll know, and won't have to waste precursors.

90 Celsius is sufficient however you want a temp of slightly over 100 Celsius inside flask, anywhere from 90-120 is fine though, lower the temp the longer the cook time needed.

When first tried there was doubt the 25 watt gave off enough heat, but it does, however it is barely enough get the job done.

Optional*

[It is a really good idea to cover the bottom of the bottle with aluminum foil, this increases the temperature as well as blocks the photo energy which can cause free radicals from the iodine (not good).]

After all this is in place simply turn on your lava lamp and check back 48 hours later. * See the FAQs on how to mix your starting reactants.

Post Reaction

Here is an improved post reaction

after the reaction is done, turn off the lamp and let it cool so you can hold it. Add equal volume hot water and shake well, then immediately pour into funnel with 3 prewet filters and a few cotton balls stuffed in the neck. Pour a small amount of hot water in the bottle again and get the last of the red out. Collect the filtered liquid and pour over the filters and red until it comes out with no tiny red particles in suspension (shine flashlight in it if it helps). Pour half the volume of collected liquid through the filters and collect it in the jar, save the filters to clean and reuse the red on it.

Now you should have 3-5 times the volume of the original post reaction solution in the jar. Add equal volume of hot VM&P naphtha (or whatever non-polar solvent you are going to use to pull the freebase) and mix well and let sit 15 minutes, siphon off the top layer and throw away. Repeat the wash until it comes out clean, once or twice more. these naphtha washes get out all the naphtha soluble trash so when you pull the freebase there is no naphtha soluble trash you need to clean up later

while that shit is separating into layers, mix up a 25% lye solution, 1g lye per 4mL water, it will heat up when mixed, so mix slow, and let cool to room temperature before using

add 10mL naphtha per gram of ephedrine used. Add the lye solution a few mL at a time, it should turn milky white where it hits, then go back to the yellowish color. Keep adding the lye solution every 30 seconds or so until it stays milky white and you get that fish smell, then it is ready (no pH strips needed!) no matter what the pH reads. be sure when adding the lye solution that it doesn't get too hot or yields will suffer, just give it time and it will cool

let the solution sit 15 minutes to separate into 2 layers, siphon up the top layer and save it. Repeat the adding naphtha and lye solution again and pull off the top layer again after waiting an hour or two. Add more lye and non-polar and let it sit a whole day before siphoning to get the last of it. Each naphtha pull should make the bottom layer less and less yellow. While it is sitting though go on with the procedure and go back to this afterward

now just gas the top layers with sulfuric acid and salt and filter out the product, then do an ice cold dry acetone wash and dry alcohol/acetone crystallization and you are left with some nice crystals. The crystallization is not really needed since you naphtha washed the post reaction solution and there isn't much trash in the gassed out product. The acetone wash alone is enough to clean it up nicely. However crystallization makes it look nicer and

the crystals are big and clear.

go back to the saved solution and pull off the top layer and gas, then clean it up and that should be all of it. If your yield is too low (under 40% is considered low, 50% is fine, 60% and higher is great), might want to go back to the bottom layer with the water/lye/trash to see if a hot naphtha pull will get anymore, but it is doubtful. Also, might want to check the acetone and alcohol used to clean up the final product, any water still in them will eat up some product, so just evaporate it, although there is sure to be all the trash in there too. It is a good idea to save everything until the final product is obtained and the yields considered satisfactory. This way you will not throw out perfectly good product, "waste not want not"

FAQs

Question: Could SWIM do this same rxn, but for only 2-2.5 hours. What might the results look like then?

Answer: You wouldn't get full conversion, which is the whole point of the long wet reduction. You would need to decrease the amount of water by half.

Question: What order should the E,RP and I2 be mixed in and how should they be mixed?

Answer: Add water, then (pseudo)ephedrine then RP. Let it mix well make sure you grind them up to a fine powder (use a fine sieve as a indicator that there grinded up properly) then add them in, and stir and swirl it around so it all dissolves. Do that for maybe 10 minutes before adding the iodine. When adding the I2(iodine) swirl it in until it kicks off then let it sit and turn on the lava lamp. It should bubble and kind of stirs itself in a way although manual occasional swirling doesn't hurt anything. Use a glass stir rod when mixing and/or swirling and not a metal one because anything metal reactions. Make sure it's a long glass stir rod because of the long tall walls of the lava lamp

Question: Can you overcook this reaction? is it bad? ..ect

Answer: If you let it go too long it will convert back from meth to ephedrine usually after around 7 days. As a rule of thumb don't let your maximum cooking time extend 3days and 2 days is the normal maximum.

Question: at what temp do things start to get too hot and I get these red RP smoke fires?

Answer: well you mostly get these on short dry cooks. This is a long wet cook and hence doesn't smoke up nearly as much and don't even come close to a red phosphorus fire. Its mostly because of the 10ml of water mixed in there is at least double of what a short dry cook has. To put it another way it dilutes the HI acid, slowing the rate of reaction of ephedrine into the intermediates and then into meth. For newbies what that means is more water slows the reaction and allows a full conversion of ephedrine into meth

Question: How does one go about cleaning the lava lamp after the reaction?

Answer: I think the materials inside are wax and alcohol, by the feel and

smell of it, just turn it on so the wax is gooey, then pop the top off, pour it out, and let cool (important to cool to room temp first), then just rinse out 3 times or so with water. Do not attempt to get the wax off when its dry unless you want to known as one of "America's Dumbest Cooks" □

Question: So all I need is a flask and the basic materials in the materials section?

Answer: yeah, that is why it is so great because good flasks are hard to find for most that is and you don't need a separate heat element. It's a flask/heater all in one.

Question: What is the rate at which the reaction goes very sudden like after 48 hours it's done?

Answer: Well it isn't a sudden change, it is very gradual.

Question: How do I know when the reaction is done?

Answer: when it is done like there is that smell, the RP sinks to the bottom quickly if disturbed, balloon/condom barely inflated(It would have at one time been inflated fully from the reaction but the pull on the 2nd part of the reaction causes it to suck back in that HI gas causing the balloon condom to inflate) but it wont go all the way down and the color of the liquid too, you want clear to yellowish, not orange or red.

Question: What happens if I use too much water?

Answer: Well the first time ever doing a long wet reduction I did 20mL for a 10 grammar and I thought it was done after 36 hours and it was no where near close heck my condom never even inflated. I learned that too much water and it won't react.

Question: the balloon on the top does it matter what kind?

Answer: buy a inch diameter braided hose about 1-2 feet long and tape over the opening of the glass, then tape a balloon or condom or the like to the end of the tube. I personally use a extra long condom it works just as well.

Question: So does that mean that all the other folks that do 2 hour rxns are not converting the full product, or are they doing things a little different than SWIJ is?

Answer: Using Rp/I2 you need to cook at least 12 hours, the masters like Geezmeister say at least 24 hours.....BUT DAMN SURE MORE THAN 2 HOURS! If you want to fuck your health up and do a product laden with impurities and side effects then cook the shit for 2 hours and that's what you will end up with. If you want to do meth then cook the shit for 24 hours and get the real thing! More is explained in Why it Takes Time Section just after the FAQs.

WHY IT TAKES TIME!

It's kind of fun to read all that poetic waxing about "potency" and stuff, but

that doesn't explain it clearly enough to the next moron who will read it and start some new urban myths in his area which will without a doubt spread and end up here again.

What we have is a reaction converting A (precursor) and B (HI) into an intermediate C (iodometh) and finally into the desired end product D (meth) and a whole lot of different side products and contaminants(e, f, g, h... etc):



A + C being mentioned on the product side of the equation means there will also be some unconverted precursor and intermediate present. Amounts and distribution patterns of D and (A, C, e, f, g, h...) in your end product depend on a whole lot of factors, mainly reaction conditions, but also on the workup procedure, method of crystallization and method of recrystallization. Needless to say, if A isn't pure and contains other chemicals the product distribution will be even more complicated.

As every chemist knows, chemical reactions take TIME to go to completion. While there are a few incredibly fast reactions which take only milliseconds or less to finish, the HI reduction is unfortunately not among them! And every chemist will tell you, that stoichiometry is also very important. When one of reactants is present in excess then it will be left over afterwards, and the conversion of the reactant which was not in excess will undergo a more complete conversion. This also means that if there is an insufficient amount of a chemical present the reaction CANNOT be completed for the other reactant being present in excess!

A good example for that last case is the 'dry' fast rP/12 reaction. There isn't sufficient H₂O present to convert all the I₂ into HI, so it is absolutely impossible that this one converts all precursors A into product D. The result will be a wild ass mixture of a little D plus a shitload of unconverted A, intermediate C, and the usual e, f, g, h... crap. Since the purification methods used by garage chemists are usually insufficient to properly separate the components that wild ass ugly mixture is what you will end up with. Proof: ref. on Rhodium's claiming 50 impurities present in such meth. Shitty taste. Peanut butter appearance.

Since it is close to impossible to completely separate desired product mixture containing D (meth) from all the other shit in a garage setting, especially A and C (which happen to have very similar solubility's as D!), the amount of pure D in the end product will be rather low, and the amount of toxic side products rather high.

I guess most of you would call that stuff 'low potency' meth. Some morons will call that 'good' meth, because the taste and toxic action is what they expect meth to be like.

I call it impure, dirty, toxic and lots of unconverted precursor present.

So what to do to get a better end product?

I) make sure that there's enough B (HI) present to convert all the A (precursor) into D (meth)

II) for condition I to be fulfilled, you have to add enough water to the

reaction! Because if there's not enough water around your I2 will not be converted into HI! Also: gaseous HI which is not in solution will not contribute to the reaction. Make sure that the HI has water to dissolve in! Common sense!

III) give the reaction enough time to complete! Fulfilling conditions I and II will still be useless if you don't give A, B and C enough time to complete their reaction to yield D!

IV) Since the cleanup methods available to most bees are rather limited in separation efficiency and since a high yield is desired make sure that the amounts and number of side products (e, f, g, h...) are as small as possible to begin with. Meaning: no flask fires! No excessive reaction conditions!

There is a reason why some of the old timers and bees with a chemical background have always been telling you to do it one way and not the other! It's inevitable that a bunch of wild and reckless youngins will keep challenging the status quo and come up with new ways and 'improvements', that's how progress is made. But not all 'improvements' are really what they claim they are, and all it takes is to start some group dynamics and the whole herd will stampede towards the abyss. Like someone claiming having done a dry reaction in 30 mins and the end product was "way potent dude!" Some wannabees repeating it, failing, and not wanting to admit to themselves and their bee-friends who they bragged about their mad chemist skills that they fucked up the reaction so they confirm the results. Then a bunch of inexperienced bees who read all that, try it out themselves, produce some weak ass mmmeth!, and publicly confirming the result that "this indeed works!!!"

Next comes a charismatic dude who loves to be the center of attention, talks shit about those who know some chemistry backgrounds and publicly claims that "tweakers don't need any of that scientific hoopla to cook some potent chili! Fuck yeah!". Add some easy to follow write-up for the morons and soon everyone is following the new shitty procedure, totally rejecting and forgetting what were once established (and working!) procedures. That's what happened to the A/B at the end of the reaction which once used to be standard procedure, and that's what happened to long reflux.

That's how rumors and urban legends are started. Offer an easy solution and everyone will love you for it. Doesn't matter if the easy solution will not work, it is what the people want to hear and want to believe! Works in politics, and apparently works among bees too. Sad but true.

I say: gently boil that reaction for as long as you can.

Boil for not long enough: you will end up with unconverted precursor and intermediate in your end product. Which you CANNOT separate from your end product easily. And those who manage that will bitch about low yield.

Boil for too long: nothing bad will happen. All precursor is converted. No intermediate is left over. Meth is pretty stable under these conditions and will not decompose. Yield of end product (*potency*) is maximized.

Final Thoughts

Each lamp is sure to vary some, and all of this is a general rule of thumb, guidelines if you will. it may be necessary to do your own experimentation, but if you have had successful reactions in the past this should prove to be no problem to get it right, although you may go through a few lamps, but they are no big deal, cheap as hell if you into the flea market scene, good deals can be found.

better to overkill than under kill, although try to keep it close as possible

You get out of this process what you put into it. You hurry the process and use unclean E then you end up with SHIT!

the universe rewards those who work at it and don't give up

Primary Author of lava lamp long wet reaction Jack aka actionjack Secondary Author of lava lamp long wet reaction playaveli

Special thanks to Darksky for the FAQ on "Why it takes time" **METHOD 2**

success rate is extremely low and process is very dangerous. Chemicals needed.

<.ul>

- **Diluted HCl** - also called Muriatic acid - can be obtained from hardware stores, in the pool section
- **NaOH** - also called lye
- **Ethyl Ether** - aka Diethyl Ether - Et-O-Et - can be obtained from engine starting fluid, usually from a large supermarket. Look for one that says "high ethyl ether content", such as Prestone
- **Ephedrine** The cottons in todays vicks nasle inhalers dont contain ephed or pfed (ephedrin or psuedoephedrin) but there are still lots of easy ways to get good ephed or pfed, pure ephedrin can be extracted out of it's plant matter, from a plant that can be bought at most garden stores. Or you can get pfed from decongestive pills like sudafed. Most people prefer to work with pfed from pills rather than ephed from the plant. The important thing is that you must have pure pfed/ephed as any contaminants will fuck up the molar ratio leaving you with over-reduced shit or under-reduced shit. Or contaminants will jell durring baseifying and gak up your product which will then be very hard to clean. So you want to find a pill that is nearly pure pfed hcl, or as close to pure as you can get. Also check the lable on your pills and see what inactive ingredients they contain. Inactive ingredients are things like binders and flavors. These you dont want and will remove when cleaning your pills. but certain inactive ingredients are harder to remove then others. You dont want pills with a red coating, you dont want pills with alot of cellose in them and you dont want pills with much wax. you also dont want pills that contain povidone. As a rule, if you have a two pills that contain the same amount of pfed hcl then take the smaller sized pill because it obviously has less binders and inactive ingredients, time released pills are usually harder to work with because they have more binders and tend to gel up durring the a/b stage. Also only buy pills that have pfed hcl as the only active ingredient. You first have to make ephedrine (which is sometimes sold as meth by itself):If you are selling it...I would just make ephedrine and say it's meth.

- **Distilled water** - it's really cheap, so you have no reason to use the nasty stuff from the tap. Do things right.

List of equipment :

- A glass eyedropper
- Three small glass bottles with lids (approx. 3 oz., but not important) one should be marked at 1.5oz, use tape on the outside to mark it (you might want to label it as ether). One should be clear (and it can't be the marked one).
- A Pyrex dish (the meatloaf one is suggested)
- A glass quart jar
- Sharp scissors
- Clean rubber gloves
- Coffee filters
- A measuring cup
- Measuring spoons

Preparing your Lab:

Preparing Ethyl Ether:

WARNING: Ethyl Ether is very flammable and is heavier than air. Do not use ethyl ether near flame or non-sparkless motors. It is also an anaesthetic and can cause respiratory collapse if you inhale too much.

Take the unmarked small bottle and spray starter fluid in it until it looks half full. Then fill the rest of the way with water, cap the bottle and shake for 5 minutes. Let it sit for a minute or two, and tap the side to try and separate the clear upper layer. Then, draw off the top (ether) layer with the eyedropper, and throw away the lower (water) and cloudy layer. Place the ether in the marked container. Repeat this until you have about 1.5 oz. of ether. Put the cap on it, and put it in the freezer if you can. Rinse the other bottle and let it stand.

Ethyl ether is very pungent. Even a small evaporated amount is quite noticeable.

Ephedrine & or P-Ephedrine: Please discuss this on the neonjoint **forum**

5. Pour 1/8 teaspoon of the lye crystals into the bottle of ephedrine and agitate. Do this carefully, as the mixture will become hot, and give off hydrogen gas and/or steam. H₂ gas is explosive and lighter than air, avoid any flames as usual. Repeat this step until the mixture remains cloudy. This step neutralizes the HCl in the salt, leaving the insoluble free base (1-desoxyephedrine) again. Why do we do this? So that we can get rid of any water-soluble impurities. For 3 oz. bottles, this should take only 3 repetitions or so.

6. Fill the bottle from step 5 up the rest of the way with ethyl ether. Cap the bottle, and agitate for about 8 minutes. It is very important to expose every molecule of the free-base to the ether for as long as possible. This will cause the free base to dissolve into the ether (it -is- soluble in ether).

7. Let the mixture settle. There will be a middle layer that is very thick. Tap the side of the bottle to get this layer as thin as possible. This is why this bottle should be clear.

8. Remove the top (ether) layer with the eyedropper, being careful not to get any of the middle layer in it. Place the removed ether layer into a third bottle.

9. Add to the third bottle enough water to fill it half-way and about 5 drops of muriatic acid. Cap it. Shake the bottle for 2 minutes. When it settles, remove the top layer and throw it away. The free base has now been bonded to the HCl again, forming a water soluble salt. This time, we're getting rid of ether-soluble impurities. Make sure to get rid of all the ether before going to step 11!

10. If there is anything left from step 3, repeat the procedure with it.

11. Evaporate the solution in the Pyrex dish on low heat. You can do this on the stove or nuke it in the microwave (be careful of splashing), but I have found that if you leave it on top of a hot-water heater (like the one that supplies hot water to your house) for about 2-3 days, the remaining crystals will be ephedrine HCl.

If you microwave it, I suggest no more than 5-10s at one time. If it starts "popping", that means you have too little liquid left to microwave. You can put it under a bright (100W) lamp instead. Microwaving can result in uneven heating, anyway.

First Batch: 120mg ephedrine HCl Estimated: 300mg (100% of theoretical, disregarding HCl)

Now, Making Methamphetamine out of ephedrine by reducing it with Hydroiodic Acid and Red Phosphorus.

Items needed:

- A lot of matchbooks (the kind with the striking pad)
- Coffee filters (or filter paper)
- Something that measures ml and grams
- A flask (a small pot with a lid can be used)
- iodine
- Hydroiodic Acid (I will tell you how to make this)
- Red Phosphorus (I will tell you how to make this)
- Lye
- *Optional (toluene and HCl gas)

Making Red Phosphorus:

The striking pad on books of matches is about 50% red phosphorus. The determined experimenter could obtain a pile of red phosphorus by scraping off the striking pads of matchbooks with a sharp knife. A typical composition of the striking pad is about 50% red phosphorus, along with about 30% antimony sulfide, and lesser amounts of glue, iron oxide, MnO₂, and glass powder. I don't think these contaminants will seriously interfere with the reaction. Naturally, it is a tedious process to get large amounts of red

phosphorus by scraping the striking pads off matchbooks, but who cares?

Making Hydroiodic Acid:

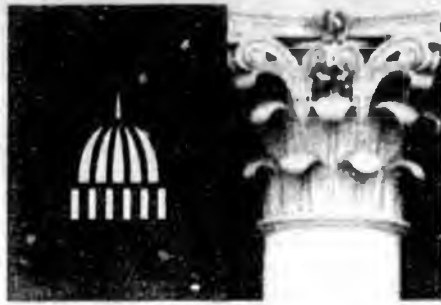
This is made by mixing iodine and red phosphorus. When making hydroiodic acid from iodine and red phosphorus, the acid is prepared first, and allowed to come to complete reaction for 20 minutes before adding the ephedrine to it. The way around the roadblock here is to just boil off some more of the water from the ephedrine extract, and make the acid mixture in fresh pure water. Since the production of HI from iodine and red phosphorus gives off a good deal of heat, it is wise to chill the mixture in ice, and slowly add the iodine crystals to the red phosphorus-water mixture.

Now, Making Methamphetamine:

To do the reaction, a 1000 ml round bottom flask is filled with 150 grams of ephedrine. Also added to the flask are 40 grams of red phosphorus and 340 ml of 47% hydroiodic acid. This same acid and red phosphorus mixture can be prepared from adding 150 grams of iodine crystals to 150 grams of red phosphorus in 300 ml of water. This should produce the strong hydroiodic acid solution needed. Exactly how strong the acid needs to be, I can't say. With the ingredients mixed together in the flask, a condenser is attached to the flask, and the mixture is boiled for one day. This length of time is needed for best yields and highest octane numbers on the product. While it is cooking, the mixture is quite red and messy looking from the red phosphorus floating around in it. When one day of boiling under reflux is up, the flask is allowed to cool, then it is diluted with an equal volume of water. Next, the red phosphorus is filtered out. A series of doubled up coffee filters will work to get out all the red phosphorus, but real filter paper is better. The filtered solution should look a golden color. A red color may indicate that all the red phosphorus is not yet out. If so, it is filtered again. The filtered-out phosphorus can be saved for use in the next batch. If filtering does not remove the red color, there may be iodine floating around the solution. It can be removed by adding a few dashes of sodium bisulfate or sodium thiosulfate. The next step in processing the batch is to neutralize the acid. A strong lye solution is mixed up and added to the batch while shaking until the batch is strongly basic. This brings the meth out as liquid free base floating on top of the water. The strongly basic solution is shaken vigorously to ensure that all the meth has been converted to the free base. You now can sell or use the free base for injection use or with free base meth now obtained, the next step you can do is to form the crystalline hydrochloride salt of meth. To do this, a few hundred mls of toluene is added to the batch, and the meth free base extracted out as usual. If the chemist's cooking has been careful, the color of the toluene extract will be clear to pale yellow. If this is the case, the product is sufficiently pure to make nice white crystals just by bubbling dry HCl gas through the toluene extract. If the toluene extract is darker colored, a distillation is called for to get pure meth free base. The yield of pure methamphetamine hydrochloride should be from 100 to 110 grams.

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National Conference of State Legislatures

LEGISBRIEF

BRIEFING PAPERS ON THE IMPORTANT ISSUES OF THE DAY

FEBRUARY 2005

VOL. 13, No. 7

Restricting the Sale of Pseudoephedrine to Prevent Methamphetamine Production

By Allison C. Colker

Methamphetamine abuse is a growing problem.

Methamphetamine, a dangerous stimulant similar to cocaine, is easily abused and is a growing problem in the United States. Used in a variety of ways, methamphetamine has devastating short- and long-term effects, such as convulsions, anxiety, violent behavior, insomnia, confusion, hallucinations, paranoia, delusions, mood disturbances and cognitive impairments.

Methamphetamine labs are dangerous.

Methamphetamine labs are dangerous, especially for children, because they can explode and because the chemicals linger for years. Along with the issues of prevention and treatment of methamphetamine, state legislators are also dealing with the criminal justice issues surrounding the production of methamphetamine.

Pseudoephedrine is a drug commonly found in over-the-counter cold medicines.

Methamphetamine Precursors. Methamphetamine precursors, the main ingredients in cooking methamphetamine, are pseudoephedrine (or ephedrine or phenylpropanolamine) and anhydrous ammonia. Pseudoephedrine is a drug commonly found in over-the-counter cold medicines. Anhydrous ammonia is a liquid fertilizer stored in large tanks on farms. Methamphetamine cooks purchase large amounts of cold tablets and steal anhydrous ammonia by siphoning it out of farmers' tanks.

State Action

Two main types of laws have been proposed in state legislatures:

- Legislation to restrict the sale (or availability, distribution, marketing, advertising, labeling or possession) of pseudoephedrine.
- Legislation to regulate how anhydrous ammonia tanks must be locked.

Almost half the states restrict the sale of pseudoephedrine, but no state has passed legislation regulating how anhydrous ammonia tanks must be locked.

Many states restrict the sale of pseudoephedrine.

Most of these states that restrict sales are located in the West or Midwest. Many of these states border states that have not; therefore, methamphetamine cooks will drive into the bordering states to purchase their pseudoephedrine. Provisions restricting the sale of the drug vary greatly, from limits on the amount of over-the-counter pseudoephedrine that can be purchased, to requirements to place it behind or near the counter, to requirements that people purchasing cold tablets sign a registry or show photo identification, to upscheduling pseudoephedrine as a controlled substance that requires a prescription. Specific state restrictions on the sale of pseudoephedrine include:

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- Alabama, Arizona, Colorado, Hawaii, Indiana, Iowa, Kansas, Kentucky, Minnesota, Mississippi, Nebraska, North Carolina and Oklahoma have made it illegal to sell pseudoephedrine, ephedrine or phenylpropanolamine with knowledge or intent that the substance will be used in the unlawful manufacture of a controlled substance.
- Alabama, Iowa and Missouri require behind-the-counter or close-to-the counter sales.
- States that require sales in blister packs: Alabama, Arkansas (or unit dose packaging), Missouri (or unit dose packets or pouches, or liquid), Nebraska (or liquid) and North Dakota (or unit dose packets or pouches, or liquid).
- States that limit the amount per transaction: Alabama (three packages or 9 grams), Arizona (24 grams), Arkansas (three packages, limits single package to 3 grams or 96 pills), California (three packages or 9 grams), Iowa (two packages), Mississippi (250 dosage units or 15 grams), Missouri (two packages or 6 grams of single ingredient products, three packages or 9 grams of combination products), North Dakota (two packages), Oklahoma (9 grams within 30-day period), Oregon (three packages or 9 grams) and Washington (three packages or 9 grams in 24-hour period).
- Arizona and Hawaii require reporting above threshold sales or suspicious transactions.
- Arkansas and North Dakota restrict sales to people at least 18 years old.
- Arkansas and Oklahoma require the purchaser to produce identification.
- Nebraska and Oklahoma require a prescription (Schedule V status, pharmacy only sale).
- Oklahoma requires the purchaser to sign a log or receipt.

Eleven states limit the amount per transaction.

Federal Action

Congress passed the Methamphetamine Anti-Proliferation Act in July 2000. In addition to strengthening sentencing guidelines, the act provides training for state and federal law enforcement officers on methamphetamine investigations and the handling of the chemicals used in clandestine methamphetamine labs. Furthermore, it controls the distribution of the chemical ingredients used to produce methamphetamine and expands substance abuse prevention efforts.

Congress passed the Methamphetamine Anti-Proliferation Act in 2000.

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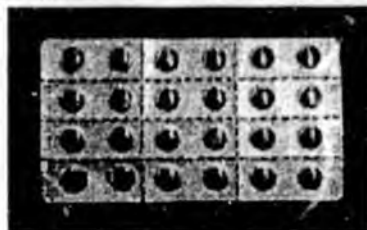
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PSEUDOEPHEDRINE



What is Pseudoephedrine?

Pseudoephedrine is a decongestant.

What does it look like?

Found in over the counter tablets and capsules.

How is it used?

Medically, it is used to treat congestion associated with allergies, hay fever, sinus irritation, and the common cold. Pseudo-ephedrine is used as a key ingredient needed for the production of the illicit drug [methamphetamine](#).

For more information on methamphetamine, please visit:

[Drug resource page on Meth](#)

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METHAMPHETAMINE


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What are the street names/slang terms for Methamphetamine?
Chalk, Crank, Croak, Crypto, Crystal, Fire, Glass, Meth, Tweek, White

What Is Methamphetamine?

Methamphetamine is an addictive stimulant that strongly activates cells in the brain.

What does it look like?

Meth is a crystal-like powdered substance that sometimes comes in large rock-like chunks. When the powder flakes off the rock, the shards look like glass, which is another nickname for meth. Meth is usually white or slightly yellow, depending on the purity.

How is it used?

Methamphetamine can be taken orally, injected, snorted, or smoked.

What are its short-term effects?

Immediately after smoking or injection, the user experiences an intense sensation, called a "rush" or "flash," that lasts only a few minutes and is described as extremely pleasurable. Snorting or swallowing meth produces euphoria - a high, but not a rush. After the initial "rush," there is typically a state of high agitation that in some individuals can lead to violent behavior. Other possible immediate effects include increased wakefulness and insomnia, decreased appetite, irritability/aggression, anxiety, nervousness, convulsions and heart attack.

What are its long-term effects?

Meth is addictive, and users can develop a tolerance quickly, needing larger amounts to get high. In some cases, users forego food and sleep and take more meth every few hours for days, 'binging' until they run out of the drug or become too disorganized to continue. Chronic use can cause paranoia, hallucinations, repetitive behavior (such as compulsively cleaning, grooming or disassembling and assembling objects), and delusions of parasites or insects crawling under the skin. Users can obsessively scratch their skin to get rid of these imagined insects. Long-term use, high dosages, or both can bring on full-blown toxic psychosis (often exhibited as violent, aggressive behavior). This violent, aggressive behavior is usually coupled with extreme paranoia. Meth can also cause strokes and death.

What is its federal classification?

Schedule II

Source

National Institute on Drug Abuse (NIDA); Drug Enforcement