HB

7

<TARGET><BILL>HB 7</BILL><SUBJECT>HB 7</SUBJECT><COMM>HJUD27</COMM></TARGET>

REPRESENTATIVE CATHY MUÑOZ

MEMORANDUM

Received 01/24/11 2:30pm SM

TO: Representative Carl Gatto
Judiciary Chair

CC: Sarah Munson
Judiciary Committee Aide

FROM: Representative Cathy Muñoz

DATE: January 19, 2011

RE: HB 7 Hearing Request

Please schedule HB 7 – Synthetic Cannabinoids as Schedule IIA in House Judiciary for hearing at your earliest convenience.

Attached to this memo please find the following documents

- HB 7 – Synthetic Cannabinoids as Schedule IIA
- Sponsor Statement
- Sectional Analysis
- NCSL Research Report
- Articles
- Support Letters
- Expected Testimony
    - Sgt. Robert Thompson, Fairbanks Police Department (via teleconference)
    - Scott Spickler (in person)
- Office Contact: Kendra Kloster, 465-4712, Kendra_kloster@legis.state.ak.us

Thank You.

STATE CAPITOL • JUNEAU, ALASKA 99801-1182 • (907) 465-3744 • FAX (907) 465-2213
REPRESENTATIVE_CATHY_MUNOZ@LEGIS.STATE.AK.US

HB7 SYNTHETIC CANNABINOIDS AS SCHEDULE IIA
Witness List

In person:
Elizabeth Ripley (Mat-Su Health Foundation/Mat-Su Substance Abuse Prevention Coalition)
Dr. Robert Urata (Valley Medical Care)
Annie Carpeneti (Department of Law)

Homer LIO:
Julie Woodworth (Kenai Peninsula Business Banking/Wells Fargo)

Fairbanks LIO:
Sgt. Robert Thompson (Fairbanks Police Department)

REPRESENTATIVE CATHY MUÑOZ

HB7 - Ban on Controlled Substances

A new synthetic cannabinoid, commonly known as K2 or Spice, has become readily available at local stores and over the internet. Some users of this chemical compound experience severe adverse reactions including hallucinations, nausea, vomiting, agitation, and panic attacks.

The synthetic cannabinoid is a combination of herbal and chemical compounds that commonly produce a reaction similar to the use of marijuana. The popularity is increasing, especially among youth, due to easy accessibility, low cost, and the difficulty of detection on drug tests.

The first introduction to K2 came to my attention through an individual's story. Within moments of inhaling K2 the young man experienced adverse reactions that included severe vomiting, loss of reality, inability to walk and talk, and violent outbursts. Without the quick reaction of those nearby there may have been tragic ending to this story. Many similar stories have surfaced in communities throughout Alaska. To date, nine states have successfully enacted laws to prohibit synthetic cannabinoids.

HB7 will classify certain synthetic cannabinoids as schedule IIA controlled substances under Alaska Statute 11.71.150(b). Schedule IIA includes materials, compounds and mixtures which contain hallucinogenic substances. It is important that we get ahead of this problem and I urge your support for the passage of this bill.

LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA

(907) 465-3867 or 465-2450
FAX (907) 465-2029
Mail Stop 3101

State Capitol
Juneau, Alaska 99801-1182
Deliveries to: 129 6th St., Rm. 329

MEMORANDUM January 14, 2011

SUBJECT: Sectional Summary - HB 7 (Work Order No. 27-LS0044\D)

TO: Representative Cathy Muñoz
Attn: Kendra Kloster

FROM: Gerald P. Luckhaupt
Assistant Revisor

You have requested a sectional summary of the above-described bill. As a preliminary matter, please note that a sectional summary of a bill should not be considered an authoritative interpretation of the bill -- the bill itself is the best statement of its contents.

Section 1 of the bill amends AS 11.71.150(b), by adding certain compounds to the list of Schedule IIA controlled substances contained in that section. The compounds that are being included:

(21) (6aR,10aR)-9-(hydroxymethyl)-6, 6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol, also known as HU-210;

(22) (6aS,10aS)-9-(hydroxymethyl)-6, 6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol, also known as Dexanabinol or HU-211;

(23) 1-Pentyl-3-(1-naphthoyl)indole, also known as JWH-018;

(24) 1-Butyl-3-(1-naphthoyl)indole, also known as JWH-073;

(25) (2-methyl-1-propyl-1H-indol-3-yl)-1-naphthalenyl-methanone, also known as JWH-015;

(26) 1-pentyl-3-(4-chloro-1-naphthoyl)indole, also known as JWH-398;

(27) 1-pentyl-3-(2-methoxyphenylacetyl)indole, also known as JWH-250;

(28) 1-hexyl-3-(1-naphthoyl)indole, also known as JWH-019;

(29) 1-(2-(4-(morpholinyl)ethyl))-3-(1-naphthoyl)indole, also known as JWH-200;

(30) 2-[(1R,3S)-3-hydroxycyclohexyl]-5-(2-methyloctan-2-yl)phenol, also known as CP 47, 497, and homologues

are commonly known, or have been identified by other states or the federal government, as forms of synthetic marijuana.

Section 2 of the bill provides an effective date.

GPL:ljw
11-019.ljw

27-LS0044\E
Luckhaupt
2/9/11

CS FOR HOUSE BILL NO. 7( )

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SEVENTH LEGISLATURE - FIRST SESSION

BY

Offered:
Referred:

Sponsor(s): REPRESENTATIVES MUÑOZ, HERRON, KERTTULA, GATTO, LYNN, AND PRUITT, Costello, Thompson, Millett

A BILL

FOR AN ACT ENTITLED

"An Act classifying certain substances as schedule IIIA controlled substances; and providing for an effective date."

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

*** Section 1.** AS 11.71.160(f) is amended to read:

(f) Schedule IIIA includes**, unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation that contains any quantity of the following substances or that contains any of its salts, isomers, whether optical, position, or geometric, or salts of isomers whenever the existence of those salts, isomers, or salts of isomers is possible within the specific chemical designation:**

(1) hashish;

(2) hash oil or hashish oil;

(3) tetrahydrocannabinols;

(4) parahexyl;

(5) dronabinol (synthetic) in sesame oil and encapsulated in a soft gelatin capsule in a U.S. Food and Drug Administration approved drug product; [AND]

(6) nabilone;

(7) (6aR,10aR)-9-(hydroxymethyl)-6, 6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol, also known as HU-210;

(8) (6aS,10aS)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol, also known as Dexanabinol or HU-211;

(9) 1-pentyl-3-(1-naphthoyl)indole, also known as JWH-018;

(10) 1-Butyl-3-(1-naphthoyl)indole, also known as JWH-073;

(11) (2-methyl-1-propyl-1H-indol-3-yl)-1-naphthalenyl-methanone, also known as JWH-015;

(12) 1-pentyl-3-(4-chloro-1-naphthoyl)indole, also known as JWH-398;

(13) 1-pentyl-3-(2-methoxyphenylacetyl)indole, also known as JWH-250;

(14) 1-hexyl-3-(1-naphthoyl)indole, also known as JWH-019;

(15) 1-(2-(4-(morpholinyl)ethyl))-3-(1-naphthoyl) indole, also known as JWH-200;

(16) 2-[(1R,3S)-3-hydroxycyclohexyl]-5-(2-methyloctan-2-yl)phenol, also known as CP 47, 497, and its dimethyloctyl (C8) homologue; in this paragraph, "homologue" means a chemical compound in a series in which each compound differs by one or more alkyl functional groups on an alkyl side chain.

*** Sec. 2.** This Act takes effect immediately under AS 01.10.070(c).

Sec. **11.71.150**. Schedule IIA.

(a) A substance shall be placed in schedule IIA if it is found under AS 11.71.120(c) to have a degree of danger or probable danger to a person or the public which is less than substances listed in schedule IA, but higher than substances listed in schedule IIIA.

(b) Schedule IIA includes, unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following hallucinogenic substances, or which contains any of its salts, isomers, whether optical, position, or geometric, or salts of isomers whenever the existence of these salts, isomers, or salts of isomers is possible within the specific chemical designation:

(1) 4-bromo-2, 5-dimethoxy-amphetamine, also known as 4-bromo-2, 5-dimethoxy-a-methylphenethylamine and 4-bromo-2, DMA;

(2) 2,5-dimethoxyamphetamine, also known as 2,5-dimethoxy-a-methylphenethylamine and 2,5-DMA;

(3) 4-methoxyamphetamine, also known as 4-methoxy-a-methylphenethylamine and paramethoxyamphetamine, PMA;

(4) 5-methoxy-3,4-methylenedioxy-amphetamine;

(5) 4-methyl-2,5-dimethoxy-amphetamine, also known as 4-methyl-2,5-dimethoxy-a-methylphenethylamine;

(6) 3,4-methylenedioxy amphetamine;

(7) 3,4,5-trimethoxy amphetamine;

(8) bufotenine, also known as 3-(B-dimethylaminoethyl)-5-hydroxyindole, 3-(2-dimethylaminoethyl)-5-indolol, N, N-dimethylserotonin; 5-hydroxy-N, N-dimethyltryptamine, and mappine;

(9) diethyltryptamine, also known as N, N-diethyltryptamine and DET;

(10) dimethyltryptamine, also known as DMT;

(11) ibogaine, also known as 7-ethyl-6, 6B, 7, 8, 9, 10, 12, 13-octahydro-2-methoxy-6, 9-methano-5H-pyrido [1',2': 1, 2] azepino [5, 4-b] indole and tabernanthe iboga;

(12) lysergic acid diethylamide, also known as LSD;

(13) mescaline;

(14) n-ethyl-3-piperidyl benzilate;

(15) n-methyl-3-piperidyl benzilate;

(16) peyote;

(17) analogs of phencyclidine (PCP), including:

(A) ethylamine analog, also known by some trade or other names as follows: N-ethyl-1-phenylcyclohexylamine (1-phenylcyclohexyl)-ethylamine, N-(1-phenylcyclohexyl)ethylamine, cyclohexamine, PCE;

(B) pyrrolidine analog, also known by some trade or other names as follows: 1-(1-phenylcyclohexyl)-pyrrolidine, PCPY, PHP;

(C) thiophene analog, also known as 1-[1-(2-thienyl) cyclohexyl]piperidine and 2-thienylanalog of phencyclidine, TPCP, and TCP;

(D) 1-[1-(2-thienyl)-cyclohexyl]-pyrrolidine, also known as TCPy;

(18) psilocybine;

(19) psilocyn;

(20) 3,4-methylenedioxymethamphetamine (MDMA).

(c) Schedule IIA includes cocaine or coca leaves, and any salt, compound, derivative, mixture, isomer, ester, ether, or preparation of cocaine or coca leaves produced directly or indirectly by extraction from coca leaves, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis, including the isomers, salts, and salts of isomers of cocaine and other derivatives of coca leaves whenever the existence of these esters, ethers, isomers or salts is possible, but does not include decocainized coca leaves or extractions of coca leaves which do not contain cocaine or ecgonine.

(d) Schedule IIA includes, unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system, including their salts, isomers, and salts of isomers whenever the existence of these salts, isomers, and salts of isomers is possible within the specific chemical designation:

(1) amobarbital;

(2) mandrix or mandrax;

(3) mecloqualone;

(4) methaqualone;

(5) pentobarbital;

(6) phencyclidine, also known as PCP;

(7) secobarbital.

(e) Schedule IIA includes, unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the nervous system:

(1) amphetamine, its salts, optical isomers, and salts of its optical isomers;

(2) methamphetamine, its salts, isomers, and salts of its isomers;

(3) methylphenidate;

(4) phenmetrazine and its salts;

(5) fenethylline;

(6) N-ethylamphetamine;

(7) 3,4-methylenedioxy-N-ethylamphetamine, also known as N-ethyl-alpha-methyl-3,4(methylenedioxy)phenethylamine, N-ethyl MDA, MDE, and MDEA;

(8) N-hydroxy-3,4-methylenedioxyamphetamine, also known as N-hydroxy-alpha-methyl-3,4-(methylenedioxy)phenethylamine, and N-hydroxy MDA;

(9) 4-methylaminorex, also known as 2-amino-4-methyl-5-phenyl-2-oxazoline;

(10) N,N-dimethylamphetamine, also known as N,N,alpha-trimethylybenzencethaneamine or N,N,alpha-trimethylphenethyline, its salts, optical isomers, and salts of optical isomers.

(f) Schedule IIA includes, unless specifically excepted or unless listed in another schedule, any material, mixture, or preparation which contains any quantity of the following substances:

(1) immediate precursor to amphetamine and methamphetamine:

phenylacetone also known as phenyl-2-propanone; P2P; benzyl methyl ketone; methyl benzyl ketone;

(2) immediate precursors to phencyclidine, also known as PCP:

(A) 1-phencylclohexylamine;

(B) 1-piperidinocyclohexanecarbonitrile, also known as PCC.

History -

(Sec. 2 ch 45 SLA 1982; am Sec. 3 - 5 ch 76 SLA 1990)

Decisions -

Annotators notes.Some of the cases cited in the notes below were decided under former AS 17.10.

Regulation of cocaine. - Word "narcotic" in common usage includes cocaine although cocaine is not a narcotic pharmacologically. State v. Erickson, 574 P.2d 1 (Alaska 1978).

The legislature specifically intended to regulate the use and possession of cocaine, regardless of its particular pharmacological status. State v. Erickson, 574 P.2d 1 (Alaska 1978).

Constitutionality of classification of cocaine as narcotic. - The classification of cocaine with narcotics under former AS 17.10 was not violative of equal protection or due process. State v. Erickson, 574 P.2d 1 (Alaska 1978).

When viewed from the overall legislative purpose of preventing the use of a drug harmful to the health and welfare of society, the classification of cocaine as a narcotic drug was not so irrational or arbitrary as to violate due process. State v. Erickson, 574 P.2d 1 (Alaska 1978).

Cocaine was not unconstitutionally classified as a narcotic drug by former AS 17.10. Johnson v. State, 577 P.2d 230 (Alaska 1978).

Cited in Williams v. State, 743 P.2d 397 (Alaska Ct. App. 1987); Snider v. State, 958 P.2d 1114 (Alaska Ct. App. 1998); Magee v. State, 77 P.3d 732 (Alaska Ct. App. 2003); Netling v. State, 145 P.3d 609 (Alaska Ct. App. 2006).

Sec. 11.71.120. Authority to schedule controlled substances.

(a) If, after considering the factors set out in (c) of this section, the committee decides to recommend that a substance should be added to, deleted from, or rescheduled in a schedule of controlled substances under AS 11.71.140 - 11.71.190, the governor shall introduce legislation in accordance with the recommendation of the committee.

(b) If a substance is added as a controlled substance under federal law, the governor shall introduce legislation in accordance with the federal law.

(c) In advising the governor of the need to add, delete, or reschedule a substance under AS 11.71.110(1), the committee shall assess the danger or probable danger of the substance after considering the following:

(1) the actual or probable abuse of the substance including

(A) the history and current pattern of abuse both in this state and in other states;

(B) the scope, duration, and significance of abuse;

(C) the degree of actual or probable detriment which may result from abuse of the substance;

(D) the probable physical and social impact of widespread abuse of the substance;

(2) the biomedical hazard of the substance including

(A) its pharmacology, in the effects and modifiers of the effects of the substance;

(B) its toxicology, the acute and chronic toxicity, interaction with other substances, whether controlled or not, and the degree to which it may cause psychological or physiological dependence;

(C) the risk to public health and the particular susceptibility of segments of the population;

(3) whether the substance is an immediate precursor of a substance already controlled under this chapter;

(4) the current state of scientific knowledge regarding the substance, including whether there is any acceptable means to safely use the substance under medical supervision;

(5) the relationship between the use of the substance and other criminal activity, including

(A) whether persons engaged in illicit trafficking of the substance are also engaged in other criminal activity;

(B) whether the nature and relative profitability of manufacturing or delivering the substance encourages illicit trafficking in the substance;

(C) whether the commission of other crimes is one of the effects of abuse of the substance;

(D) whether addiction to the substance relates to the commission of crimes to support the continued use of the substance.

(d) *[Repealed, Sec. 40 ch 6 SLA 1984].*

(e) The committee has no authority over tobacco or alcoholic beverages as defined in AS 04.21.080.

History -
(Sec. 2 ch 45 SLA 1982; am Sec. 40 ch 6 SLA 1984)
History Reports -

For statement of the purpose of the 1984 repeal of subsection (d) of this section, see the 1984 House Journal at p. 2287, in the paragraph captioned "Section 40."

Decisions -

Construction of former law. - For construction of former AS 17.12.040, concerning regulations and authorizing the commissioner of health and social services to promulgate list of certain drugs, see State v. Erickson, 574 P.2d 1 (Alaska 1978).

Sec. 11.71.160. Schedule IIIA.

(a) A substance shall be placed in schedule IIIA if it is found under AS 11.71.120(c) to have a degree of danger or probable danger to a person or the public less than the substances listed in schedule IIA but higher than substances listed in schedule IVA.

(b) Schedule IIIA includes, unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system, including their salts, isomers whether optical, position, or geometric, and salts of these isomers whenever the existence of these salts, isomers, and salts of isomers is possible within the specific chemical designation:

(1) benzphetamine;

(2) chlorphentermine;

(3) clortermine;

(4) *[Repealed, Sec. 12 ch 76 SLA 1990].*

(5) phendimetrazine;

(6) any compound, mixture, or preparation in dosage unit form containing any stimulant substance listed in schedule IIA, which compound, mixture, or preparation was listed on August 25, 1971, as an excepted compound under 21 C.F.R. Sec. 1308.32, and any other drug of the quantitative composition shown in that list for those substances, or which is the same except that it contains a lesser quantity of any controlled substance.

(c) Schedule IIIA includes, unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system:

(1) amobarbital, secobarbital, or pentobarbital or any salt of these substances, combined with one or more other active medicinal ingredients which are not listed in any other schedule;

(2) amobarbital, secobarbital, or pentobarbital or any salt of these substances, approved by the federal Food and Drug Administration for marketing only as a suppository;

(3) any substance which contains any quantity of a derivative of barbituric acid or any salt of barbituric acid;

(4) chlorhexadol;

(5) glutethimide;

(6) lysergic acid;

(7) lysergic acid amide;

(8) methyprylon;

(9) sulfondiethylmethane;

(10) sulfonethylmethane;

(11) sulfonmethane;

(12) tiletamine and zolazepam, or any of their salts.

(d) Schedule IIIA includes nalorphine.

(e) Schedule IIIA includes, unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation containing any of the following narcotic drugs or their salts calculated as the free anhydrous base or alkaloid, in the following quantities:

(1) not more than 1.8 grams of codeine per 100 milliliters or not more than 90 milligrams per dosage unit, with an equal or greater quantity of an isoquinoline alkaloid of opium;

(2) not more than 1.8 grams of codeine per 100 milliliters or not more than 90 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;

(3) not more than 300 milligrams of dihydrocodeinone per 100 milliliters or not more than 15 milligrams per dosage unit, with a fourfold or greater quantity of an isoquinoline alkaloid of opium;

(4) not more than 300 milligrams of dihydrocodeinone per 100 milliliters or not more than 15 milligrams per dosage unit, with one or more active nonnarcotic ingredients in recognized therapeutic amounts;

(5) not more than 1.8 grams of dihydrocodeine per 100 milliliters or not more than 90 milligrams per dosage unit, with one or more active nonnarcotic ingredients in recognized therapeutic amounts;

(6) not more than 300 milligrams of ethylmorphine per 100 milliliters or not more than 15 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;

(7) not more than 500 milligrams of opium per 100 milliliters or per 100 grams or not more than 25 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;

(8) not more than 50 milligrams of morphine per 100 milliliters or per 100 grams, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts.

(f) Schedule IIIA includes

(1) hashish;

(2) hash oil or hashish oil;

(3) tetrahydrocannabinols;

(4) parahexyl;

(5) dronabinol (synthetic) in sesame oil and encapsulated in a soft gelatin capsule in a U.S. Food and Drug Administration approved drug product; and

(6) nabilone.

History -

(Sec. 2 ch 45 SLA 1982; am Sec. 6, 7, 12 ch 76 SLA 1990)

Decisions -

Cited in Magee v. State, 77 P.3d 732 (Alaska Ct. App. 2003).

FISCAL NOTE

STATE OF ALASKA
2011 LEGISLATIVE SESSION

Fiscal Note Number
Bill Version: HB007
() Publish Date

Identifier (file name): HB007-LAW-CRIM-01-29-11
Dept. Affected: Law
Title: An Act classifying certain synthetic cannabinoids as schedule IIA controlled substances; and providing for an effective date.
Appropriation: Criminal
Allocation: Criminal Justice Litigation
Sponsor: Representative(s) Munoz, Herron, Kerttula, Gatto, Lynn, Pruitt
Requester: (H) Judiciary
OMB Component Number: 2202

Expenditures/Revenues (Thousands of Dollars)

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

	Appropriation Required	Information					
OPERATING EXPENDITURES	**FY 2012**	**FY 2012**	**FY 2013**	**FY 2014**	**FY 2015**	**FY 2016**	**FY 2017**
Personal Services							
Travel							
Services							
Commodities							
Capital Outlay							
Grants							
Miscellaneous							
TOTAL OPERATING	**0.0**	**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 (please identify)							
TOTAL	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**

Estimate of any current year (FY2011) cost

POSITIONS

Full-time							
Part-time							
Temporary							

Why this fiscal note differs from previous version (if initial version, please note as such)

Prepared by: Eileen Donahue, Division Operations Manager
Phone: 465-5427
Division: Administrative Services
Date/Time: 1/29/11 5:35 PM
Approved by: John J. Burns, Attorney General
Department of Law
Date: 1/29/2011

(Revised 1/27/2011 OMB)

FISCAL NOTE

STATE OF ALASKA
2011 LEGISLATIVE SESSION

BILL NO. HB007

Analysis

This bill adds several chemical forms of Synthetic cannabinoids to Schedule IIA of Alaska's prohibited substance Schedules. Currently, cannabis or Marijuana is a Schedule VIA prohibited substance. The anticipated fiscal impact is zero, however, if litigation ensues there will be addition costs in defending this litigation.

FISCAL NOTE

STATE OF ALASKA
2011 LEGISLATIVE SESSION

Fiscal Note Number
Bill Version: **HB 7**
() Publish Date: 1/18/2011

Identifier (file name) HB7-DOC-OC-02-02-11
Title: "An Act classifying synthetic cannabinoids as schedule IIA
Sponsor: Rep. Munoz, Herron, Kerttula, Gatto, Lynn & Pruitt
Requester: Judiciary Committee

Dept. Affected: DOC
Appropriation: Admin & Support
Allocation: Commissioner's Office
OMB Component Number: 684

Expenditures/Revenues (Thousands of Dollars)

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

	Appropriation Required	Information					
OPERATING EXPENDITURES	**FY 2012**	**FY 2012**	**FY 2013**	**FY 2014**	**FY 2015**	**FY 2016**	**FY 2017**
Personal Services							
Travel							
Services							
Commodities							
Capital Outlay							
Grants							
Miscellaneous							
TOTAL OPERATING	**	**	**	**	**	**	**
CAPITAL EXPENDITURES	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**
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 (please identify)							
TOTAL	**	**	**	**	**	**	**

Estimate of any current year (FY2011) cost 0.0

POSITIONS

Full-time							
Part-time							
Temporary							

Why this fiscal note differs from previous version (if initial version, please note as such)

This is the first version of the bill.

Prepared by: Leslie Houston, Director — Phone 465-3339
Division: Dept. of Corrections - Administrative Services — Date/Time 2/2/2011 2:30 p.m.
Approved by: Joseph D. Schmidt, Commissioner — Date 2/2/2011
Dept. of Corrections

(Revised 1/27/2011 OMB)

FISCAL NOTE

STATE OF ALASKA
2011 LEGISLATIVE SESSION

BILL NO. HB 7

Analysis

This legislation makes synthetic cannabinoids a schedule IIA controlled substance. Currently, possession of a schedule IIA is a Class C felony with a possible sentence of 0-2 years. Manufacturing or delivering a schedule IIA controlled substance is a Class B felony with a possible sentence of 0-4 years. The current average daily cost to house an inmate is $136.44. Therefore, housing an offender could cost the department anywhere from $0.0 (no time served) to $199,202.40 (for a 4-year sentence).

Department of Corrections is unable to determine the fiscal impacts of the passage of this legislation, as we cannot estimate the total number of actual violations that will occur.

FISCAL NOTE

STATE OF ALASKA
2011 LEGISLATIVE SESSION

Fiscal Note Number
Bill Version: **HB7**
() Publish Date

Identifier (file name): HB007-DPS-LAB-02-02-11
Title: "An Act Relating to Synthetic Cannabinoids As Schedule IIA"
Sponsor: Representative Munoz
Requester: House Judiciary

Dept. Affected: Public Safety
Appropriation: Statewide Support
Allocation: Laboratory Services
OMB Component Number: 527

Expenditures/Revenues (Thousands of Dollars)

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

	Appropriation Required	Information					
OPERATING EXPENDITURES	**FY 2012**	**FY 2012**	**FY 2013**	**FY 2014**	**FY 2015**	**FY 2016**	**FY 2017**
Personal Services	96.0		96.0	96.0	96.0	96.0	96.0
Travel	3.0		3.0	3.0	3.0	3.0	3.0
Services	8.5		5.6	5.6	5.6	5.6	5.6
Commodities	12.0		2.0	2.0	2.0	2.0	2.0
Capital Outlay	7.3						
Grants							
Miscellaneous							
TOTAL OPERATING	**126.8**		**106.6**	**106.6**	**106.6**	**106.6**	**106.6**
CAPITAL EXPENDITURES							
CHANGE IN REVENUES							

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts							
1003 GF Match							
1004 GF	126.8		106.6	106.6	106.6	106.6	106.6
1005 GF/Program Receipts							
1037 GF/Mental Health							
Other (please identify)							
TOTAL	**126.8**	**0.0**	**106.6**	**106.6**	**106.6**	**106.6**	**106.6**

Estimate of any current year (FY2011) cost

POSITIONS

Full-time	**1.0**		1	1	1	1	1
Part-time							
Temporary							

Why this fiscal note differs from previous version (if initial version, please note as such)

Not applicable; initial version.

Prepared by: Orin Dym, Laboratory Manager — Phone: (907) 269-5743
Division: Scientific Crime Detection Laboratory — Date/Time: 2/02/2011 3:30PM
Approved by: Joseph A Masters, Commissioner — Date: 2/4/2011

(Revised 1/27/2011 OMB)

FISCAL NOTE

STATE OF ALASKA
2011 LEGISLATIVE SESSION

BILL NO. HB7

Analysis

This proposed legislation would add certain synthetic cannabinoids to the schedule IIA list of controlled substances. This bill would become effective immediately upon passage.

The Alaska Scientific Crime Detection Laboratory (Crime Laboratory) provides analysis of suspected controlled substances, issues reports, and provides expert testimony for the state of Alaska. For calendar year 2010 the laboratory received 1,267 requests for controlled substances analysis. A full time position is capable of analyzing 480 requests per year. The Controlled Substances Section of the Crime Lab currently has 2.5 full time staff assigned to it.

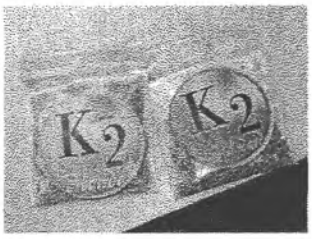
Once controlled, it is anticipated that the Crime Laboratory will receive significant requests for analysis related to the newly controlled substances. With the large presence of internet sales, and the ability for manufacturers to rapidly change the substances present in the materials sold, any suspected of containing these newly controlled substances will require scientific analysis at the Crime Laboratory.

This new position would come at an initial cost of $126,800. This includes a starting salary with benefits of $96,000, a work station start up cost of $7,300 for equipment , $2,000 for supplies, and there will be $3,000 in travel funds required for the ongoing training and education necessary for an analyst to maintain their expertise and certifications. There is an expected $5,000 in contractual costs as well, and this position also requires an initial $3,500 to obtain licensing required for the laboratory's LIMS database. Subsequently, there is a yearly 18% maintenance fee for that license. In addition to the above considerations involved with this new position, the Crime Laboratory would be required to obtain the standards necessary to analyze these nine new chemicals and their various isomers. This would be a one-time cost of $10,000.

In addition to the ongoing salary, benefits, and necessary travel costs relative to this position, all positions utilize an ongoing $2,000 for supply needs, and there is an ongoing licensing and maintenance cost of $5,600 per year. Therefore, the initial cost for this position would be $126,800, with a subsequent ongoing cost of $106,600.

Synthetic Cannabinoids (K2)

Posted October 5, 2010



NCSL Resources Related to Synthetic Cannabinoids

State Laws Related to Synthetic Cannabinoids

State Legislation on Synthetic Cannabinoids Pending on October 5, 2010

Synthetic Cannabinoids

Synthetic cannabinoids are chemically engineered substances, similar to THC—the active ingredient in marijuana—that, when smoked or ingested, can produce a high similar to marijuana. Initially developed for research related to treatment of pain and the effects of cannabis on the brain, these substances have recently become a popular alternative to marijuana. When sprayed onto dried herbs, the substances are marketed under names such as "Spice," "K2" or "Genie" and sold legally in local convenience stores or on the Internet.

The European Monitoring Centre for Drugs and Drug Addiction cautions that little research has been conducted on their effects on humans. As of September 2010, the American Association of Poison Control Centers documented more than 1,500 calls to poison control centers for symptoms such as racing heartbeat, nausea and elevated blood pressure following use of synthetic cannabinoid products. Only 14 such calls were received in 2009.

State Action

State lawmakers are acting quickly to curb the growing availability and use of these substances by passing laws to designate certain synthetic cannabinoids as schedule I controlled substances and outlaw their possession or distribution.

Because there are at least seven documented categories of synthetic cannabinoids, state laws identify specific types or specific chemical substances commonly found in them.

Synthetic Cannabinoids Listed in Statute	
Chemical Substance	*Trade Name (if applicable)*
1-(2-(4-(morpholinyl)ethyl))-3-(1-naphthoyl) indole	JWH-200
1-Butyl-3-(1-naphthoyl)indole	JWH-073
1-hexyl-3-(1-naphthoyl)indole	JWH-019
1-pentyl-3-(1-naphthoyl)indole	JWH-018
1-pentyl-3-(2-methoxyphenylacetyl)indole	JWH-250
1-pentyl-3-(4-chloro-1-naphthoyl)indole	JWH-398
2-[(1R,3S)-3-hydroxycyclohexyl]-5-(2-methyloctan-2-yl)phenol)	CP 47, 497 and homologues

(2-methyl-1-propyl-1H-indol-3-yl)-1-naphthalenyl-methanone	JWH-015
(6aR,10aR)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c] chromen-1-ol)	HU-210
Dexanabinol	HU-211
Dexanabinol, (6aS,10aS)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol	HU-211

Federal Action

As of September 2010, the Federal Drug Enforcement Administration (DEA) identified five "spice cannabinoids"--CP 47, 497 and homologues; HU-210; HU-211; JWH-018; and JWH-073--as drugs of concern. Except for HU-210, no synthetic cannabinoids currently are controlled under the federal Controlled Substances Act. The DEA also reports that, except for HU-210, no studies have been conducted on the effects of these drugs on humans.

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NATIONAL CONFERENCE *of* STATE LEGISLATURES

The Forum for America's Ideas

Synthetic Cannabinoid State Laws

(Updated: October 5, 2010)

State	Related Bill Numbers	Classified as a Schedule I Controlled Substance	Crimes and Penalties	Chemical Substances*
Alabama	HB 697 (2010)	No	Subject to the same penalties as possession of marijuana in the first and second degree.	HU-210; JWH-018; and JWH-073.
Georgia	HB 1309 (2010)	Yes	Not Specified	CP 47, 497 and homologues; HU-210; and JWH-018.
Illinois	HB 6459 (2010)	Yes	Not Specified	JWH-018 and JWH-073.
Kansas	HB 2411 (2010)	Yes	Not Specified	HU-210; JWH-018; and JWH-073.
Kentucky	HB 265 (2010)	Yes	Possession of synthetic cannabinoid is a class B misdemeanor. Trafficking in synthetic cannabinoid and manufacturing synthetic cannabinoids are class A misdemeanors. Subject to the same penalties and exclusions as marijuana for certain controlled substances crimes.	Any chemical compound that contains CP 47, 497 and homologues; dexanabinol; JWH-018; or JWH-073. Excludes synthetic cannabinoids that require a prescription, are approved by the USDA and are legally dispensed.

State	Related Bill Numbers	Classified as a Schedule I Controlled Substance	Crimes and Penalties	Chemical Substances*
Louisiana	HB 121 (2010), HB 173 (2010), and SB 37 (2010)	Yes	Subject to the same penalties as possession, distribution and possession with intent to distribute of marijuana.	CP 47, 497 and homologues; HU-210; JWH-018; and JWH-073.
Michigan	HB 6038 (2010)	No	Not Specified	CP 47,497; HU-210; JWH-015; JWH-018; JWH-073; JWH-200; and JWH-250.
Mississippi	SB 2004 (2010)	Yes	Subject to the same penalties and exclusions as marijuana for certain controlled substances crimes.	CP-47, 497 and homologues; HU-210; JWH-018; JWH-019; JWH-073; JWH-200; JWH-250; and JWH-398.
Missouri	HB 1472 (2010)	Yes	Possession of 35 grams or less of synthetic cannabinoids is a class A misdemeanor, and possession of more than 35 grams is a class C felony.	HU-211; Indole or JWH-018; Indole or JWH-073; and Phenol CP 47, 497 and homologues.
Tennessee	SB 2982 (2010)	No	Subject to the same penalties as producing, manufacturing, distributing, possessing or possessing with intent to produce, manufacture or distribute salvia divinorium.	HU-210; HU-211; JWH-018; and JWH-073. Excludes synthetic cannabinoids lawfully prescribed or substances approved by the Food and Drug Administration.

*Synthetic Cannabinoid Chemical Substances and Trade Names:

- 1-(2-(4-(morpholinyl)ethyl))-3-(1-naphthoyl) indole [**trade name: JWH-200**]
- 1-Butyl-3-(1-naphthoyl)indole [**trade name: JWH-073**]
- 1-hexyl-3-(1-naphthoyl)indole [**trade name: JWH-019**]
- 1-pentyl-3-(1-naphthoyl)indole [**trade name: JWH-018**]
- 1-pentyl-3-(2-methoxyphenylacetyl)indole [**trade name: JWH-250**]
- 1-pentyl-3-(4-chloro-1-naphthoyl)indole [**trade name: JWH-398**]
- 2-[(1R,3S)-3-hydroxycyclohexyl]-5-(2-methyloctan-2-yl)phenol) [**trade name: CP 47, 497 and homologues**]

- [(6a*R*,10a*R*)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c] chromen-1-ol)] [**trade name: HU-210**]
- (2-methyl-1-propyl-1H-indol-3-yl)-1-naphthalenyl-methanone [**trade name: JWH-015**]
- Dexanabinol
- dexanabinol, (6a*S*,10a*S*)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol [**trade name: HU-211**]

NATIONAL CONFERENCE *of* STATE LEGISLATURES

The Forum for America's Ideas

State Legislation on Synthetic Cannabinoids
Pending on October 5, 2010

2010 PENDING LEGISLATION

New Jersey AB 2644
Adds the synthetic cannabinoids HU-210, JWH-018 and JWH-073 to the list of controlled substances as schedule I drugs.

New York SB 7081
Defines synthetic cannabinoid to include CP 47, 497; HU-210; HU-211; JWH-018; and JWH-073. Prohibits sale or distribution of any product containing a synthetic cannabinoid. Establishes a defense for FDA-approved over-the-counter drugs or lack of knowledge that the product contained a synthetic cannabinoid.

New York AB 10439
Adds HU-210, JWH-018, JWH-073 and the components of synthetic ecstasy 1-(3-[trifluoromethylphenyl]) piperazine (trade name: TFMPP) to the list of schedule I controlled substances.

New York AB 11216
Prohibits sale or distribution of any product containing a synthetic cannabinoid; defines the chemical compounds that constitute a synthetic cannabinoid; imposes a civil penalty of not more than $1,000 for a violation thereof; creates defenses based on over-the-counter drugs approved by the Food and Drug Administration or lack of knowledge that the product contained a synthetic cannabinoid.

Ohio SB 275
Adds JWH-018 and JWH-073 to the list of schedule I controlled substances.

Ohio HB 544
Adds synthetic cannabinoids commonly known as K2 or Spice to the list of Schedule I controlled substances; prohibits the possession of Spice; prohibits trafficking in Spice; provides that, if Spice is the drug involved in a violation of the offense of corrupting another with drugs, the penalty for the violation will be the same as if marihuana was the drug involved in the offense.

Pennsylvania HB 176
Adds CP 47, 497; HU-210; HU-211; JWH-018; and JWH-073 to the list of schedule I controlled substances.

NCSL's Criminal Justice Program is in Denver, Colo., at (303) 364-7700 or cj-info@ncsl.org.
Statutes and bills may be edited or summarized; full text can be retrieved from NCSL's website.

STRAIGHT TOX

Herbal Incensed

Synthetic Cannabinoids Detected in Herbal Incense and Smoking Blends

by Dwain C. Fuller, D-FTCB, TC-NRCC

I am a skeptic by nature. I am particularly circumspect about believing anecdotal accounts of just about anything. I've become even more jaded in light of the number of urban legends that otherwise intelligent people send to my inbox each week. Thus is my reason for waiting this long to cover the Spice/K2 issue. It was my contention that I should wait and see what happens. I figured that if one is willing to smoke some mix of herbs that one doesn't even know the identity of, a person is likely to get sick and have some bad experiences, as well as some real, or perhaps imagined, good experiences, i.e. placebo effect. However, there now appears to be reliable scientific evidence that at least some of these products contain potent cannabinoid-like compounds.

What are "K2" and "Spice"?

K2 and Spice are trade names for two different products, but what they have in common is that they are sold as "herbal incense" or "herbal smoking blends". These products have become very popular with teenagers across the nation who are using them in place of marijuana, fueled by their ease of purchase (internet and "head shops") and their legal status in most areas. The users of these and similar products are beginning to show up in emergency rooms with hallucinations, nausea, vomiting, hypersomnolence, agitation, and other adverse reactions.

The origins of Spice and K2 appear to be primarily in Europe, China and Korea, with many competing products, or "knock-offs", appearing for sale on the internet daily. A check of one website offered various K2 products: K2 Summit, K2 Blue, K2 Pink, K2 Mango, K2 Citron, and K2 Bubblegum, for sale at prices ranging from about $10 to $15 per gram. The

ingredient list on the package claims that it contains a number of herbal products. However, there is growing evidence that herbs are not the only active ingredients.

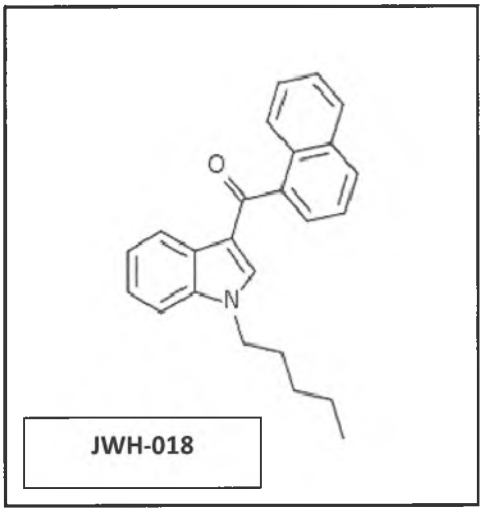
- On December 15, 2008 the German pharmaceutical company, THCPharm, announced that it had found the synthetic cannabinoid, JWH-018, in at least three versions of Spice.
- On January 19, 2009 the University of Freiburg in Germany announced that another synthetic cannabinoid known as CP 47,497 had been detected in Spice.
- In March 2009 the Drug Enforcement Administration reported in the *Microgram Bulletin* that Customs and Border Protection – Chicago Laboratory, had recently found the synthetic cannabinoid, HU-210, in "small but verifiable amounts" in "incense" labeled as "Spice Gold", "Spice Silver", "Spice Diamond", "Genie", and "Yucatan Fire".
- Not to be outdone, in October 2009 the Johnson County Criminalistics Laboratory in Mission, Kansas reported that it detected the presence of two synthetic cannabinoids, JWH-018 and JWH-073, in a K2 product submitted to the laboratory.

Synthetic Cannabinoids, a Primer:

This subject is too vast to cover in depth in an article such as this, so I will provide an overview of the various synthetic cannabinoids that have been implicated in these "herbal blends":

JWH-018

All of the "JWH" designated cannabinoids take their prefix initials from Clemson University organic chemist, John W. Huffman. Dr. Huffman's research interests include the synthesis of analogues and metabolites of THC, with the goal of developing new pharmaceutical products and elucidating the geometry of the CB_1 and CB_2 receptor.



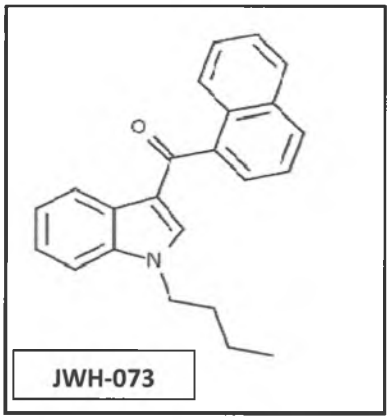
JWH-018

Dr. Huffman first synthesized JWH-018 in the mid-1990's, but notes that JWH-018 was being sold as a plant growth stimulant in China and Korea even before he published a book chapter of the synthetic scheme for this and other cannabinoid agonists.

JWH-018 has a molecular mass of 341.45 and bears the IUPAC name, Naphthalen-1-yl-(1-pentylindol-3-yl)methanone. JWH-018 acts as an agonist at both the CB_1 and CB_2 receptors with some selectivity for the CB_2, and produces marijuana-like effects of somewhat longer duration. JWH-018 is not currently scheduled in the United States.

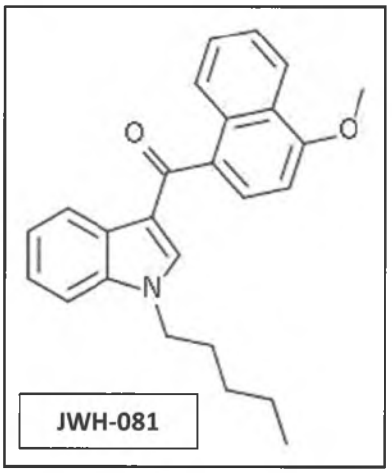
JWH-073

JWH-073 has a molecular mass of 327.42 and bears the IUPAC name, Naphthalen-1-yl-(1-butylindol-3-yl)methanone, differing by only by a methylene group in the alkyl chain on the indole portion of the molecule from JWH-018. JWH-073 is a CB_1 and CB_2 receptor agonist with approximately 5 times the affinity for the CB_2 compared to the CB_1 receptor. JWH-073 is not currently scheduled in the United States.



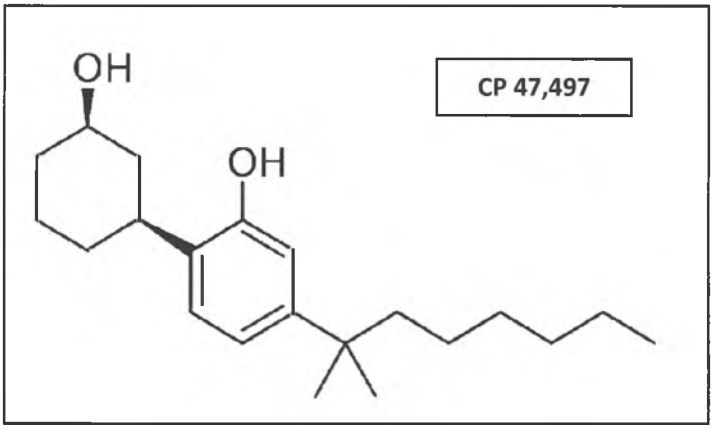
JWH-081

JWH-081 has a molecular mass of 371.47 and bears the IUPAC name, 4-methoxynaphthalen-1-yl-(1-pentylindol-3-yl)methanone, differing from JWH-018 by a methoxy group in the 4 position of the naphthalene portion of the molecule. JWH-081 is a CB_1 and CB_2 receptor agonist with selectivity for the CB_1 receptor approximately 10 times that of the CB_2 receptor. There is speculation that JWH-081 is replacing JWH-018 in herbal blends that are being marketed in states where the latter is being banned. JWH-081 is not currently scheduled in the United States.



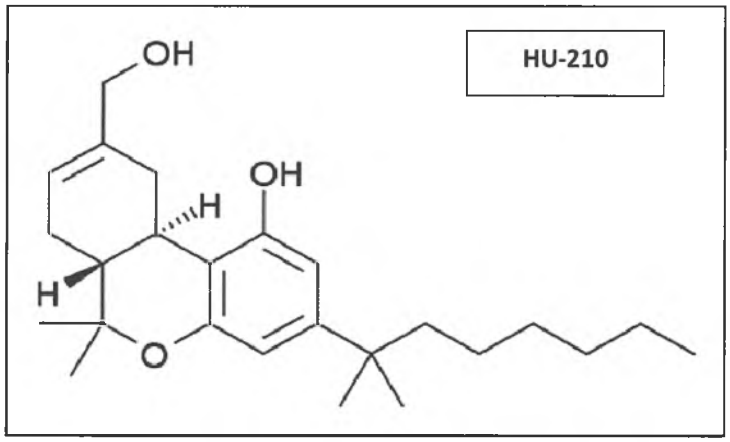
CP 47,497

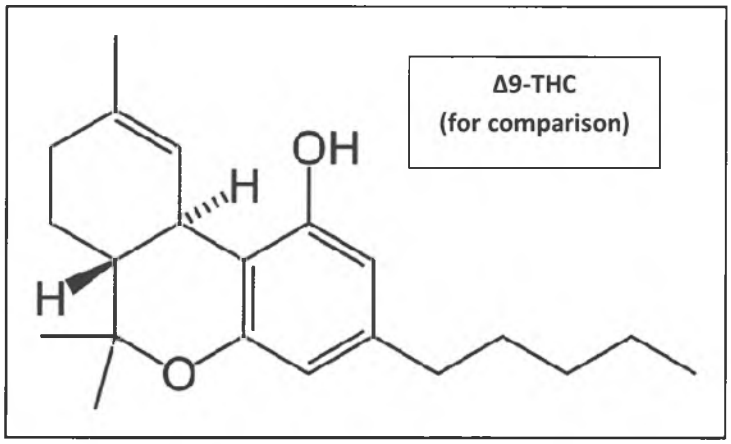
CP 47,497 has a molecular mass of 318.49 and bears the IUPAC name, 2-[(1R,3S)-3-hydroxycyclohexyl]- 5-(2-methyloctan-2-yl)phenol. CP 47,497 was developed by Pfizer in the 1980's and is reported to be a potent CB_1 agonist. CP 47,497 is not currently scheduled in the United States.



HU-210

HU-210 has a molecular mass of 386.57 and bears the IUPAC name, (6a*R*,10a*R*)- 9-(Hydroxymethyl)- 6,6-dimethyl- 3-(2-methyloctan-2-yl)- 6a,7,10,10a-tetrahydrobenzo [c]chromen-1-ol. Noteworthy is the extreme similarity to Δ9-THC, differing only in the alkyl group, an additional hydroxyl group, and the position of the double bond, which is analogous to Δ8-THC. HU-210 was first synthesized by a group at Hebrew University (thus the "HU" designation) led by Professor Raphael Mechoulam. In mice HU-210 decreased overall activity, produced analgesia, decreased body temperature, and produced catalepsy. In in-vitro studies, HU-210 bound both the CB_1 and CB_2 receptors. HU-210 is reported to be 100 – 800 times more potent than THC with an extended duration of action. HU-210 is a schedule I controlled substance in the United States.





Legality

For the most part, K2, Spice and related products are not illegal in the United States based on their stated ingredients. Their continued legal status will depend, in part, on whether they are found to universally contain synthetic cannabinoids, whether those substances are controlled, as is HU-210, and whether any of the other included cannabinoids will be deemed to fall under the Federal Analog Act, which is a rather confusing document in its own right.

Summary

The use of clandestine synthetic cannabinoids in the guise of herbal preparations appears to be an increasing problem, especially among teens. Only time will tell if the trend continues. If it does, laboratories will need to gain access to standards for these compounds and to develop assays to detect these substances, which in some incidences are many times more potent than Δ9-THC.

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adn.com
Anchorage Daily News

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Army punishes 36 for using synthetic pot

SPICE AND K2: U.S. Army Alaska banned head shop product in August.

The Associated Press

(12/21/10 11:33:48)

The U.S. Army Alaska says it has punished 36 soldiers for the use of synthetic marijuana since it banned the substance.

Seven soldiers were tried at courts-martial, and 29 received nonjudicial punishments, the Fairbanks Daily News-Miner reported.

Synthetic marijuana is known as Spice or K2. It's a blend of spices and herbs sprayed with a compound similar to the psychoactive ingredient in marijuana. It's commonly sold in head shops.

Some users think the substance can't be detected in drugs tests. But the Army says its urine tests can now find the chemicals used in Spice.

In March, a 25-year-old Fort Richardson soldier just back from Iraq was convicted of driving under the influence of Spice. He was arrested after driving his Chevrolet Avalanche over three raised medians, into a concrete wall and down a sidewalk with flat tires and a broken axle.

The U.S. Army Alaska banned Spice in August.

It had seen an increase in users with high blood pressure and heart rates admitted to hospitals at Fort Richardson in Anchorage and Fort Wainwright in Fairbanks.

The soldiers have had life-threatening reactions in some cases, the commander of U.S. Army Alaska, Brig. Gen. Raymond Palumbo, wrote in a commentary published in the Fort Richardson and Fort Wainwright newspapers.

"We have no idea what the long-term effects are since the chemicals vary and have not been fully tested," Palumbo wrote. "But we do know that in the short term, bad things happen when people use Spice."

This month, the Anchorage Assembly voted unanimously to make the chemicals illegal in the city as of Jan. 6. It will be a misdemeanor to sell, make, have or use products containing cannabinoids, which are versions of the active ingredients in marijuana. The products are found in convenience stores and tobacco shops in parts of the country where they're not illegal.

In October, state Sen. Kevin Meyer, R-Anchorage, proposed a bill to outlaw Spice after state troopers arrested a Fairbanks man who used the substance, broke into a house, stripped naked and slept in the homeowners' bed. He told troopers God had told him to do so.

The U.S. Drug Enforcement Agency has started a process to outlaw five chemicals commonly used in synthetic marijuana.

adn.com
Anchorage Daily News

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Assembly outlaws chemical known as 'synthetic marijuana'

By ROSEMARY SHINOHARA
rshinohara@adn.com
(12/08/10 20:59:04)

A street chemical that authorities say can cause severe reactions will be illegal in Anchorage starting in early January.

The Anchorage Assembly on Tuesday voted unanimously to ban the sale, possession or use of products containing synthetic versions of cannabinoids. The products go by a variety of names such as K2, Spice and Spike, and are found in convenience stores and tobacco shops in parts of the country where they're not illegal.

Cannabinoids, natural and synthetic, are versions of the active ingredients in marijuana.

"These products pose serious and significant health risks up to and including death, and they offer nothing positive to anyone ingesting it," said Assembly member Paul Honeman, a former police officer. Assembly members Honeman, Dick Traini and Mike Gutierrez and Mayor Dan Sullivan sponsored the new city law.

State Sen. Kevin Meyer, R-Anchorage, has pre-filed a legislative bill for consideration next year that would criminalize such products on a statewide basis.

In Anchorage, it will be a misdemeanor to sell, make, have or use products containing cannabinoids starting on Jan. 6.

The Anchorage School District made public its fears about use of the synthetic chemical last April, and said some Anchorage teens have been hospitalized. In October, school district spokeswoman Heidi Embley said regular marijuana is still much more prevalent, and that the district knew of probably only a handful of synthetic cannabinoid cases.

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JuneauEmpire.com

CBJ readying to outlaw synthetic cannabis

Substance is banned in as many as 15 states, city attorney says

Tuesday, January 11, 2011

Story last updated at 1/11/2011 - 1:33 am

CBJ readying to outlaw synthetic cannabis
Substance is banned in as many as 15 states, city attorney says

By Sarah Day | JUNEAU EMPIRE

The City and Borough of Juneau may soon preempt the state in making synthetic marijuana illegal. A draft ordinance could be ready by the next Borough Assembly meeting.

City Attorney John Hartle gave an update Monday on research he'd done on the legal aspect of banning the substances, per the request of Assemblyman Merrill Sanford.

Synthetic marijuana is currently banned in 13 to 15 states, Sanford said. According to an article in the Boston Globe in late December, the U.S. Drug Enforcement Administration is looking at banning five of the chemicals used in synthetic marijuana — often called K2 or Spice. The drug is currently legal on a national basis, and can be purchased from smoke shops, convenience and grocery stores.

"There's been a number of cases reported at the hospital and some cases reported through the Juneau Police Department about the use and hazards of using the Spice drug," Sanford said. "Of course, some people can use it like other drugs and get away with it without having ill effects. Some people have been in the hospital for a week or more recovering from the use."

Sanford said synthetic marijuana is not regulated and the quantity of the components varies.

The City of Anchorage enacted an ordinance last month making use, possession or sale of synthetic marijuana illegal.

Hartle recommended drafting an ordinance based on Anchorage's. Hartle said typically this is the domain of state and federal governments. Bills criminalizing the substance are going before state lawmakers, Hartle said. "If those are adopted, those will take maybe nine months to take effect."

Hartle recommended the Assembly include an automatic repeal once a state law similar to the city ordinance goes into effect.

Sanford agreed. "I don't think we should lose any opportunities at all to get this stuff off the streets as much as possible," he said.

Juneau's police department hasn't yet had a chance to comment on the proposal.

- Contact reporter Sarah Day at 523-2279 or at sarah.day@juneauempire.com.

The Oakland Press (**theoaklandpress.com**), Serving Oakland County

Sports

Frightening new drug becoming concern in athletics

Saturday, May 1, 2010

By The Associated Press

KANSAS CITY, Mo. (AP) — The company that does drug testing for the NFL, NCAA and more than 100 U.S. schools is coming up with a way to detect a troubling new synthetic substance that mimics the effects of marijuana and is so far legal in 49 states.

The lab-made drug known as K2, King Krypto and Spice, among other names, is well known in Europe and authorities say it's been banned in countries including Germany, Russia, Sweden and England.

It began showing up in the United States only about six months ago, federal authorities say, and Kansas outlawed it in March. A ban at the federal level could take months, if not years.

The NCAA declined to comment on the drug, but the agency it pays to conduct drug testing is already working on a test to detect K2 use after hearing from a number of schools concerned about it.

By this fall, the National Center for Drug Free Sport Inc. hopes to have a test ready to go for college athletes, many of whom may be especially tempted by the drug.

"What you see with college kids is they're young and they think they're invincible," said Barbara Carreno, a spokeswoman for the U.S. Drug Enforcement Agency. "They don't have a sense of their own mortality yet. And with this, they're not going to get thrown in jail. It's got a lot of appeal."

The NCAA bans a broad swath of substances, including marijuana, and anything "chemically related" to those substances whether they are performance enhancers or recreational drugs.

Drug Free Sport contracts with the NFL, NCAA, several athletic conferences and schools to administer more than 20,000 drug tests annually. Athletes are tested at NCAA championships and randomly throughout the academic year, and Drug Free Sport tests athletes who fall under suspicion by coaches or trainers.

"We started receiving phone calls about K2 after the first of the year from a few schools," said Frank Uryasz, president of the Kansas City-based company. "They were concerned that they were hearing athletes talk about K2."

Uryasz is confident K2 will eventually be banned in college athletics and Carreno is equally certain states will outlaw it.

But so far, Kansas lawmakers are alone in taking action.

"We found out about it in October," said Jeremy Morris, a senior forensics scientist at the Johnson County, Kan., criminal investigation laboratory. "And by March, the governor signs the bill and we have it controlled. Kids were getting sick, going to the hospital, and we couldn't stop it. But now we can."

Officials interviewed for this story were not aware of any deaths resulting from the use of K2. But many expressed concern about the drug's effects.

"It's rather frightening," said Dr. Anthony Scalzo, director of the Missouri Regional Poison Control Center in St. Louis and a consultant in cases of suspected K2 use around the country.

"We've had people come in with dreadful symptoms. They're agitated. Their heart's racing. Their blood pressure is up," Scalzo said. "They feel terrible. Some are even paranoid and having hallucinations. And the tests come back negative, even for marijuana. So doctors wind up scratching their heads and wondering what's going on here.

"I've also had patients say, 'Hey, Doc, I know you're trying to do your best on this, but I had some K2 and let me tell you, I felt perfectly fine.'"

Like the NCAA, the Big Ten Conference declined to comment when asked about the new drug. Ed Stewart, an assistant commissioner of the Big 12, said he had not heard of it.

But calls and e-mails about K2 have begun coming into Drug Free Sport's Resource and Exchange Center, a service that answers questions from anonymous athletes, trainers, or anyone connected with college sports.

"They were all anonymous, so we don't know where they came from or who they came from, or if they were using it or just trying to learn more about it," said Dan Regan, a staff member at Drug Free Sport. "But there have been inquiries."

K2, in whatever form, is available for roughly the same price as marijuana and it can be purchased over the counter. Steve Vogt can hardly keep the stuff in stock at Weedz, a shop he owns near the Las Vegas Strip.

"You can make $7,000 a day if you've got a busy shop," Vogt said in a telephone interview. "I don't think I want to say exactly how much. But I'm going through a lot. All I do is keep buying more. More and more people are hearing about it. More and more people are buying it."

The DEA said the drug is made primarily abroad, in Europe and China, and Scalzo said K2 was developed in laboratory experiments in the mid-90s as scientists sought ways to restore the appetite of emaciated chemotherapy patients.

"I think we can make a pretty good guess that somebody was doing some research on synthetic cannabinoids and came across this paper and realized that was something that could be a pretty good drug," said Morris, the Kansas forensics expert.

A perfected test would be cheered by the DEA.

"God bless them and good luck," said Carreno, the agency spokeswoman. "It's not difficult to make a test, but there are so many different chemicals to test for to be comprehensive. You might be testing for HU-210 and your athletes are using JWH-018. Or JWH-173. There's a number of these chemicals and you have to test for all of them to know that you're catching them all."

Testimony for HB7

I would have to start by saying that I never thought I would have had a bad trip on synthetic herb, most times people have bad trips from mushrooms or acid but that herb I had was unlike anything I'd ever heard of. I had started smoking spice in February of this year and smoked on weekends. The appealing side of this herb was that it gave a marijuana like high for about 3 hours with just a couple of hits and the best part being that you didn't have to worry about drug tests because it passed for friends that I knew in the military so passing standard tests was not a problem.

Now another plus to this herb was that unlike normal weed, this herb is not supposed to produce any paranoia, and there was no sign of being high at all, such as no red eye, no half open eyes and you were able to basically be a functional stoner, you could be in public and not look or smell high in anyway. This of course was very appealing to me and many of my friends who also couldn't smoke weed because of drug tests at their jobs.

The brand of spice I had been smoking for about 6 months was called red dawn, spark 20. The herb I smoked the night of my incident was called spike, max. I only had 2 hits and less than 2 minutes later I was losing my perception of what was real in every way, it turned everything into a fuzzy cartoon like picture and I lost control of my legs that I couldn't walk at all. I couldn't talk. I could hear what I thought and what I wanted to say, but all I was spitting out was gibberish. This went on for what felt like many hours. I can remember thinking to myself that I wasn't actually going come out of this craziness and this might be how I end up dying! I remember telling my brother to call 911 and remember going into the ambulance and ending up in the hospital for a day. The doctors haven't had an incident with synthetic herb until that night and I had to basically be flushed out for 10 hours.

I know many people are still going to want to try spice but the fact it's just a bunch of chemicals sprayed on tobacco and nobody knows what the long term affects of this herb are and the scary thing is that this stuff is so easy to purchase. The price has dropped here in town from $53 a gram down to $30 a gram, which is just a bit more than the going rate for actual weed.

I would have thought this herb was completely harmless but the fact that a regular smoker such as myself could even have a bad experience as bad as mine was a huge eye opener to just how bad this stuff really is. The fact that it's very easy to get in town and that it only takes a little bit to get to a mind altering high is spooky. I know a large number of kids in town have had a substance abuse problem and this drug is dangerous because of the fact you can have an herb that twists reality in such a way that you can't tell what's real and what's a hallucination. I see this problem getting worse in the near future because it's a new drug that is easy to obtain and has a weed like high and at the same time has dangerous side effects.

FAIRBANKS POLICE
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Fairbanks, Alaska 99701-4616
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January 21, 2011

Representative Cathy Munoz
State Capitol Room 403
Juneau AK 99801

Dear Representative Munoz:

As the Chief of Police for the Fairbanks Police Department, I would like to extend my support of House Bill No. 7 "An Act classifying certain synthetic cannabinoids as schedule IIA controlled substances."

According to the U.S. Department of Justice Drug Enforcement Administration, these substances have no known therapeutic use and are known to cause a variety of effects including seizures, hallucinations, psychotic episodes, and non-responsiveness. In addition the Alaska Information Analysis Center (AKIAC) has reported in studies that subjects have reported having difficulties with balance, slurred speech, and being light headed.

These cannabinoids present a significant threat to the safety of Alaska's citizens as long as they remain unclassified. Without this new legislation a person who is under the influence of synthetic cannabinoids while operating a motor vehicle is not in violation of the law. This presents a clear danger to the citizens of Alaska, as someone could potentially be under the influence of a synthetic cannabinoid while driving and experience hallucinations, seizures, or a psychotic episode. This is not a hypothetical situation and the Fairbanks Police Department has already investigated a motor vehicle accident where the driver of the vehicle was having seizures as a result of consuming synthetic cannabinoids.

By classifying synthetic cannabinoids as a schedule II controlled substance, the act of operating a motor vehicle under the influence of a synthetic cannabinoid would become an illegal act. This bill would therefore have a direct impact on the safety of the citizens of the State of Alaska.

Sincerely

Laren Zager
Chief of Police
Fairbanks Police Department

Mat-Su Substance Abuse Prevention Coalition

January 31, 2011

Alaska House of Representatives

RE: Synthetic Cannabinoids

To Whom it May Concern,

The purpose of this correspondence is to support House Bill 7 that would list certain synthetic cannabinoids found in "K2" or "Spice" as Scheduled controlled substances which will provide law enforcement will have the necessary authority to prosecute the sell and possession of these substances. These drugs are currently being sold in several local venders which sends the social message that they are not harmful and social acceptable; thereby, increasing the risk for youth consumption and related consequences.

K2/Spice products are a mixture of herbal/spice plant products sprayed with potent psychotropic drugs, often contaminated with unidentified toxic substances which is marketed under variety of names including K2, Spice, Pep Spice, Spice Silver, Spice Gold, Spice Diamond, Smoke, Sence, Skunk, Yucatan Fire, Genie & Zohai and sold in variety of colors/flavors-usually sold in foil packaging

The growing popularity of these drugs is causing increasing alarm among law enforcement officials, lawmakers, and health care professionals across America. "Spice" has been banned by some U.S. domestic and overseas military commands as well as in Germany and other European countries because substances have been identified in the product to have the presence of chemicals with tetrahydrocannabinol (THC)-like effects.

The danger in smoking "Spice" is that the product is unregulated and not manufactured in a controlled environment. Smoking this product could be very harmful because the substance could also include unknown contaminants. Therefore, there is no way to accurately determine what the potential harmful effects could be. [1] Medical officials concur that smoking "Spice" can cause adverse effects to one's health. Hospitals have reported incidents of people, mostly

[1] 4Mind Hacks: Spice flow: the new street drug pharmacology December 01, 2009, Accessed 13 May 2010 and Wikipedia Accessed 13 May 2010

teenagers, visiting emergency rooms for: heart palpitations, respiratory issues, panic attacks, hallucinations, delusions, and, one case where a teen lapsed into a coma.[2]

The Mat-Su Substance Abuse Prevention Coalition seeks to reduce substance abuse among youth by advocating for and implanting evidence-based environmental strategies. These drugs are currently sold at local shops which increases access to the drug and sends the social message to young people that they are acceptable and not harmful.

I have attached legislation adopted by the state of Missouri which contains a list of the compounds used to create these drug which can be used by the Senate as a template to draft a similar bill/ordinance.

The Mat-Su Substance Abuse Prevention Coalition appreciates your time and consideration of this issue. If you would like any additional information, please contact the project coordinator, undersigned. Thank you for your time.

Sincerely,

Desiree Compton, for Mat-Su Substance Abuse Prevention Coalition
Project Coordinator
124 W. Swanson, Suite C
Wasilla, AK 99654
(907) 373-5818
dcompton@unitedwaymatsu.org

Mat-Su Substance Abuse Prevention Coalition

Vision: Our vision is to enhance our community by supporting healthy lifestyles and drug free alternatives.

Mission Statement: To reduce substance abuse among youth and, over time, among adults by addressing the factors in our community that increase the risk of substance abuse and promoting the factors that minimize the risk of substance abuse.

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[2] "Synthetic Marijuana A Growing Trend Among Teens, Authorities Say", CNN/WIBW.com March 24, 2010. Accessed 10 May 2010

Kendra Kloster

From: bruce@donabel.biz on behalf of Bruce Abel [bruce@donabel.biz]
Sent: Tuesday, January 25, 2011 10:07 AM
To: Kendra Kloster
Subject: HB-7/SB17

Dear Representatives Munoz and Kerttula and Senator Egan:

I would like express my support and encourage you to pass HB 7 and SB 17 banning synthetic marijuana and the chemical substances that lace these "Herbal Incense". These substances should not be sold to anyone for any reason. The sale of such material should be designated a criminal act with penalties severe enough to discourage their sale and distribution.

As an employer with strict drug use policies the legal sale of synthetic narcotics creates untold liability. I think it is safe to say that if my fully loaded boom truck is in an accident with your loved ones and the driver has been enjoying "Herbal Incense" prior to the accident you won't be satisfied with a defense that the product was sold over the counter by a local business and is legal. Dead is dead. Legalizing these materials creates a liability nightmare for employers, school sports programs and endangers the public.

Alaska has more than its share of substance abuse problems so lets join with other states that have already passed legislation of this particular poison from being so readily available on store shelves.

Sincerely,

Bruce Abel
President/CEO
Don Abel Bilding Supply
9999 Glacier Highway
Juneau, AK. 99801

Kendra Kloster

From: frank.b@gci.net on behalf of Frank Bergstrom [frank.b@gci.net]
Sent: Tuesday, January 25, 2011 10:26 AM
To: Kendra Kloster
Subject: HB-7 and SB-17

Honorable Representatives Munoz and Kerttula, and Senator Egan:

Please support the above bills and outlaw synthetic cannabis products (Spice, K2, etc.).

- This family of drugs is intended to produce a high – thus users are impaired in any activities they may undertake (e.g. driving)
- These products appear to be falsely labeled and do not contain herbal plants, but rather cannabinoid compounds related to THC (active ingredient in pot); i.e., they lie

It would appear these products are a thinly veiled effort to bypass anti-marijuana rules to sell pot by-any-other-name. Whether it is pot or other, the stated intent is to produce a drugged high. That alone is sufficient to merit regulation as a controlled substance. At a minimum it should be so regulated – at best it would be made illegal. It's market is based on wriggling around anti-drug law. Let's close the door on the deceptive marketing of pot by-any-other-name. It is a drug (or group of drugs) being made available to the public essentially as an unregulated nutraceutical. This is a sham and should be ended.

Respectfully,

Frank Bergstrom

Frank Bergstrom
PO Box 22909
Juneau, AK 99802
907-523-1995 phone/fax
907-321-3637 cell
frank.b@gci.net

Kendra Kloster

From: Kasen Spickler [kasen_spickler@hotmail.com]
Sent: Monday, January 24, 2011 8:59 PM
To: Kendra Kloster
Cc: Scott Spickler
Subject: HB-7, SB17

To whom it may concern,

I would like to voice my opinion in favor of banning synthetic marijuana in Alaska. It's a very dangerous drug and it doesn't belong in our state.

I have seen what smoking this does to a person and it was a very scary experience. Vomiting, very intense hallucinations, and high heart rate just to name a few symptoms. I believe if I wasn't around during this episode this person very well could have died. I think it's just a matter of time before it does take someones life.

I hope Alaska follows in many other states footsteps and bans this substance.

Kasen Spickler
9690 N. Douglas Hwy.
Juneau, AK 99801

(907) 723-9330

Kendra Kloster

From: Scott Spickler [sspickler@gmail.com]
Sent: Monday, January 24, 2011 4:07 PM
To: Kendra Kloster
Subject: HB-7,SB17

To Representives Munoz and Kerttula and Senator Egan

I would like to voice my support for the passage of HB 7 and SB 17 banning synthetic marijuana and the chemical substances that these "Herbal Incense" are laced with.

I feel that for this product to be sold off the shelf by local businesses to anyone is a criminal act and the penalities should be severe enough to discourage the sale and distribution of this meth like product.

The target market for synthetic pot, in my opinion, is typically anyone that is trying to avoid drug use detection by their employers, (including the military), as well as students participating in school sports at districts that have a drug testing program in place.

While people over 18 should know better than to smoke this substance, many do not understand the consequences of inhaling the unregulated chemicals sprayed on these herbs. I fear that the drug is going to cause irreparable harm or death to someone, and sadly that someone will likely be under the age of 18 to get the public's attention and to shed the light on the potential harm that this product can cause. However, passage of a law to criminalize the sale and possession can help circumvent that concern.

The Federal Government regulates the importation of toys painted with lead from China, sometimes not all that well quite honestly. Alaska should join the ranks of several other states that have already passed legislation of this particular poison from being so readily available on store shelves.

We don't need to make it easy for people to gain access to this drug.

Thank you,

Scott Spickler
10754 Horizon Dr.
Juneau, AK. 99801

789-3780 W.

(xiii) Lysergic acid diethylamide.
(xiv) Mescaline.
(xv) 4-methoxyamphetamine.
(xvi) Methoxymethylenedioxyamphetamine (MMDA).
(xvii) Methylenedioxyamphetamine (MDA).
(xviii) 3, 4-methylenedioxymethamphetamine.
(xix) 3, 4-methylenedioxy-N-ethylamphetamine.
(xx) N-ethyl-3-piperidyl benzilate (JB-318).
(xxi) N-hydroxy-3, 4-methylenedioxyamphetamine.
(xxii) N-methyl-3-piperidyl benzilate (JB-336).
(xxiii) N-(1-phenylcyclohexyl) ethylamine (PCE).
(xxiv) Nabilone.
(xxv) 1-(1-phenylcyclohexyl) pyrrolidine (PHP).
(xxvi) 1-(1-(2-thienyl)-cyclohexyl) piperidine (TCP).
(xxvii) 1-(1-(2-thienyl)-cyclohexyl) pyrrolidine.
(xxviii) Para-methoxyamphetamine (PMA).
(xxix) Psilocybin.
(xxx) Psilocyn.
(xxxi) Synhexyl.
(xxxii) Trifluoromethylphenylpiperazine (TFMPP).
(xxxiii) Trimethoxyamphetamine (TMA).
(xxxiv) 1-PENTYL-3-(NAPHTHOYL)INDOLE (JWH-018 AND ISOMERS).
(xxxv) 1-BUTYL-3-(NAPHTHOYL)INDOLE (JWH-073 AND ISOMERS).
(xxxvi) 1-HEXYL-3-(NAPHTHOYL)INDOLE (JWH-019 AND ISOMERS).
(xxxvii) 1-PENTYL-3-(4-CHLORO NAPHTHOYL)INDOLE (JWH-398 AND ISOMERS).
(xxxviii) 1-(2-(4-(MORPHOLINYL)ETHYL))-3-(NAPHTHOYL)INDOLE (JWH-200 AND ISOMERS).
(xxxix) 1-PENTYL-3-(METHOXYPHENYLACETYL)INDOLE (JWH-250 AND ISOMERS).
(xl) (2-METHYL-1-PROPYL-1H-INDOL-3-YL)-1-NAPHTHALENYL-METHANONE (JWH-015 AND ISOMERS).
(xli) (6aR, 10aR)-9-(HYDROXYMETHYL)-6,6-DIMETHYL-3-(2-METHYLOCTAN2-YL)-6a,7,10,10a-TETRAHYDROBENZO[C]CHROMEN-1-OL) (HU-210).
(xlii) 5-(1,1-DIMETHYLHEPTYL)-2-(3-HYDROXY CYCLOHEXYL)-PHENOL (CP 47,497 AND ISOMERS).
(xliii) 5-(1,1-DIMETHYLOCTYL)-2-(3-HYDROXY CYCLOHEXYL)-PHENOL (CANNABICYCLOHEXANOL, CP-47,497 C8 HOMOLOGUE AND ISOMERS).

(b) Any material, compound, mixture or preparation which contains any quantity of the following substances and their salts, optical isomers, and salts of optical isomers having a potential for abuse associated with a stimulant effect on the central nervous system:

(i) Amphetamine.
(ii) Benzphetamine.
(iii) Benzylpiperazine (BZP).
(iv) Butorphanol.
(v) Cathine ((+)-norpseudoephedrine).

(xx) N-ethyl-3-piperidyl benzilate (JB-318).
(xxi) N-hydroxy-3, 4-methylenedioxyamphetamine.
(xxii) N-methyl-3-piperidyl benzilate (JB-336).
(xxiii) N-(1-phenylcyclohexyl) ethylamine (PCE).
(xxiv) Nabilone.
(xxv) 1-(1-phenylcyclohexyl) pyrrolidine (PHP).
(xxvi) 1-(1-(2-thienyl)-cyclohexyl) piperidine (TCP).
(xxvii) 1-(1-(2-thienyl)-cyclohexyl) pyrrolidine.
(xxviii) Para-methoxyamphetamine (PMA).
(xxix) Psilocybin.
(xxx) Psilocyn.
(xxxi) Synhexyl.
(xxxii) Trifluoromethylphenylpiperazine (TFMPP).
(xxxiii) Trimethoxyamphetamine (TMA).

(b) Any material, compound, mixture or preparation which contains any quantity of the following substances and their salts, optical isomers, and salts of optical isomers having a potential for abuse associated with a stimulant effect on the central nervous system:

(i) Amphetamine.
(ii) Benzphetamine.
(iii) Benzylpiperazine (BZP).
(iv) Butorphanol.
(v) Cathine ((+)-norpseudoephedrine).
(vi) Cathinone.
(vii) Chlorphentermine.
(viii) Clortermine.
(ix) Diethylpropion.
(x) Fencamfamin.
(xi) Fenethylline.
(xii) Fenproporex.
(xiii) Mazindol.
(xiv) Mefenorex.
(xv) Methamphetamine.
(xvi) Methcathinone.
(xvii) 4-methylaminorex.
(xviii) Methylenedioxymethcathinone
(xix) Methylenedioxypyrovalerone
(xx) Methylmethcathinone
(xviii) Methylphenidate.
(xix) Modafinil.
(xx) N-ethylamphetamine.
(xxi) N, N-dimethylamphetamine.
(xxii) Pemoline.
(xxiii) Phendimetrazine.
(xxiv) Phenmetrazine.
(xxv) Phentermine.
(xxvi) Pipradol.
(xxvii) Propylhexedrine.
(xxviii) Pyrovalerone.
(xxix) Sibutramine.
(xxx) Spa ((-)-1-dimethylamino-1,2-diphenylethane).

(c) Any material, compound, mixture or preparation which contains any quantity of the following substances having a potential for abuse associated with a depressant effect on the central nervous system:

From: Messick, Jennifer [mailto:MessickJ@ci.anchorage.ak.us]
Sent: Wednesday, February 09, 2011 1:06 PM
To: Christine Marasigan; Kendra Kloster; gregory.wilkinson@alaska.gov; Ruggles, Jennifer L.
Cc: Wheeler, Dennis A.
Subject: Info on SPice Incidents

SYMPTOMS

- Dangerously high BP (200+ / 100+)
- Tachycardia – 2 known incidents where heart stopped altogether, both died.
- Hallucinations
- Delusions
- Super-Human Strength (Polce and EMT safety risk)
- Unconsciousness
- Memory Loss (sustained)

For statistics, this would be a rough estimate, but combining information we have from APD, medics and EMTs, AFD, the schools, department of corrections, probations, youth organizations, treatment professionals, and the courts – several hundred incidents since April 2010. The rate of usage is, of course much higher as the police and EMTs don't usually get called unless something bad happened.

By incident, I mean a person who used it (either an admission, or the drug was found on the person and symptoms were consistent with Spice usage) and they had some kind of negative effect (loss of consciousness, hospitalized for high blood pressure, crashed a vehicle, irrational behavior, super-human strength used to assault officers or medics, memory loss, death, homicide, etc) I also included reports from department of corrections, school resource officers, felony probation officers and parents who report having found the substance in the possession of inmates/kids or where use was admitted.

The estimate of several hundred is also consistent with other states. This drug is everywhere at the same time, it is unlike meth where it was first in Hawaii and gradually moved to the west coast and took about 10 years to reach the east coast; Spice is in wide use in every state.

Examples in Anchorage include:

- High school student hospitalized overnight after loss of consciousness and uncontrollable high BP (confirmed no other drugs onboard)
- Traffic fatality – packet of spice found in center console of suspect vehicle who caused the crash
- High school student hallucinating – black rabbits hoping out of the ground wearing heads of dead people trying to kill him
- Delusion of death, pleading with AFD medics not to let him die. He was fine except for the drug usage
- Hallucination of 3 ghosts trying to kill user (DUI defendant)
- Numerous incidents where the user lost consciousness for anywhere from 15 minutes – 5 hours.
- One death in anchorage where the user ingested Spice just prior to him losing consciousness (awaiting blood confirmation)
- Suspected death Whittier
- User grabbed officer's gun, lifting officer up off ground. Officers broke wooden night stick oer user's head, tazed user twice, each time user reengaged and went for officer's weapons, eventually choked user unconscious.
- Ft Wainwright – Military soldier exhibiting symptoms in lock-down 30 hours after smoking spice/K2

Several other shocking incidents, each of which posed a danger to the community and the officers responding

National Incidents include:

- Approx 1800 spice/K2 calls to poison control in 2010 (increase of nearly 600% over the previous year. Similar increases were seen for ER admissions in about 40 states, but we don't have a reliable number nationally)
- Death in Montana 16 year old student – no other drugs detected; high levels of JWH-018 detected
- Suicide by 17 year old in Iowa within 5 minutes of ingesting Spice/K2
- Washington State Patrol – user unable to talk, stand or function even 16 hours after ingestion
- Most common age group of users is 14-27, across every ethnicity; not linked to any one ethnicity or sex.
-

MUNICIPALITY OF ANCHORAGE

Office of the Municipal Attorney
Civil Division, Suite 730

Telephone: 907-343-4545
Fax: 907-343-4550

Mayor Dan Sullivan

February 8, 2011

Chairman Carl Gatto
House Judiciary Committee
State Capitol, Room 118
Juneau, Alaska 99801-1182

Vice-Chair Steve Thompson
House Judiciary Committee
State Capitol, Room 428
Juneau, Alaska 99801-1182

Re: House Bill 7 and Senate Bill 17 - *Synthetic Cannabinoids*

Dear Representatives:

The Municipality of Anchorage supports the bills currently before the legislature. As I indicated last Friday before your Committee, the primary reasons to treat synthetic cannabinoids more serious than their organic equivalents is because the potency of the synthetics has been found to be up to 800 times greater than the organic, and the potency from sample to sample varies widely. We have evidence that this high potency induces hallucinogenic reactions and unpredictable behaviors that are far more dangerous to the user, and those who may come into contact with them, than marijuana. The variations in the strength of any one dose can cause users to get a mild reaction in one instance and fall into unconsciousness in another instance. We have had one death in Anchorage that can be directly attributed to the use of synthetic cannabinoids. The Municipality believes felony prosecution for the manufacture, production, distribution, and sale of synthetics is a necessary tool that should be available to law enforcement to discourage the use of these drugs.

The Municipality supports providing the State Crime Lab with necessary resources to test for these drugs. As of a couple of months ago, we were aware of only two labs nationally that could test for these products in blood or urine. One lab could test urine samples and the other could test blood samples. In order to successfully prosecute people in the chain of production and consumption, we need the capability of testing both seized products and the bodily fluids of users. If properly resourced, having these tests performed locally and having local technicians available to testify, may save both money and time over using out-of-state labs.

Please find included in our email the Powerpoint presentation our Traffic Safety Resource Prosecutor uses. We have been making these presentations to the local military, business groups, and governmental agencies. We look forward to providing additional testimony on the bills in the coming weeks. If you have any questions, please do not hesitate to contact me.

Sincerely,

Dennis A. Wheeler
Municipal Attorney

cc: Sara Gill, Special Assistant to the Mayor

LEGISLATIVE RESEARCH SERVICES

Alaska State Legislature
Division of Legal and Research Services
State Capitol, Juneau, AK 99801

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Memorandum

TO: Representative Cathy Muñoz
FROM: Chuck Burnham, Legislative Analyst
DATE: February 8, 2011
RE: Comparing States' Laws on Synthetic Cannabinoids to Selected Alaska Drug Laws
LRS Report 11.159

You asked us for information on states' laws on synthetic cannabinoids. Specifically, you asked for an account of where such substances appear on states' schedules of controlled substances and the crime classifications and penalties for possessing those substances. You also asked us to compare those other states' penalties for such crimes to those indicated for possession of substances in Alaska's controlled substance schedules IIA and IIIA.

We identified 11 states with laws prohibiting the possession of synthetic cannabinoids.[1] Classifications and penalties for a first criminal offense of possession in these states range from a Class B misdemeanor in Kentucky, which carries a maximum term of imprisonment of 90 days and a $250 fine, to an unclassified felony in Georgia, for which an offender is subject to a prison sentence of 2-15 years. In addition to the 11 states that have synthetic cannabinoid prohibitions in place, at least 21 states, including Alaska, are currently considering similar legislation.

In Alaska, as you know, controlled substances are placed on a given level within the schedule of controlled substances based on the degree of danger or probable danger a given drug poses to a person or the public. Those schedules range from "IA," containing the most dangerous substances, to "VIA," which are perceived to be the least dangerous drugs. Possession of a Schedule IIA controlled substance in Alaska constitutes the crime of "misconduct involving a controlled substance in the fourth degree." That offense is a Class C felony punishable by a maximum of 5 years in prison and a $50,000 fine. Please note, however, that the presumptive sentencing guideline in Alaska is far less severe, and a suspended sentence is possible for a first offense. Possession of a Schedule IIIA controlled substance in Alaska is a Class A misdemeanor for which an offender can receive a maximum of 1 year in prison and a $10,000 fine.[2]

The attached table summarizes crime classifications and penalties for possessing synthetic cannabinoids in the eleven states where that activity has been criminalized, and compares that information to the crime classification and penalties for possession of items on Alaska' controlled substances Schedules IIA and IIIA. Please note that the penalties listed in our table are either maximum sentences or ranges of incarceration periods. Actual penalties are generally subject to considerable discretion by the sentencing courts.

We hope this is helpful. If you have questions or need additional information, please let us know.

[1] Those states are Alabama, Georgia, Illinois, Kansas, Kentucky, Louisiana, Michigan, Mississippi, Missouri, Oklahoma, and Tennessee. According to the National Conference of State Legislatures (NCSL), synthetic cannabinoids are "chemically engineered substances, similar to THC—the active ingredient in marijuana—that, when smoked or ingested, can produce a high similar to marijuana. Initially developed for research related to treatment of pain and the effects of cannabis on the brain, these substances have recently become a popular alternative to marijuana. The NCSL maintains information about these substances and states' responses to the issue at *http://www.ncsl.org/?tabid=21398*.

[2] Controlled Substance Schedules in Alaska are enumerated at AS § 11.71.140-190.

Comparing States' Laws on Synthetic Cannabinoids to Selected Alaska Drug Laws				
State	**Citation**	**Controlled Substance Schedule**	**Crime Classification** (1st Offense--Possession)	**Penalty**
Alaska	AS § 11.71.040 and § 12.55.125	Schedule IIA (as proposed in HB 7)	Class C felony	Maximum 5 years imprisonment and $50,000 fine (presumptive sentence is far less--suspended sentence possible)
	AS § 11.71.050	Schedule IIIA	Class A misdemeanor	Maximum 1 year imprisonment and $10,000 fine
Alabama	CA § 13A-12-213 to 14.1	Not scheduled	Class A misdemeanor	Sentencing guidelines: up to 32 month sentence typically allotted by court among probation, community corrections, county jail/work release or an alternative
Georgia	OCGA § 16-30-25 and 16-13-30	Schedule I	Unclassified felony	2-15 years imprisonment
Illinois	720 ILCS § 570/204 and 402(c) and 730 ILCS § 5/5-4.5-45 and 5-4.5-50	Schedule I	Class 4 felony	1-3 years imprisonment and $25,000 fine
Kansas	KSA § 21-36a06 and 4708	Schedule I	Class A non-person misdemeanor	Sentencing guidelines: typically, 10-12 months of probation
Kentucky	KRS § 218A.1427 and 534.040	Schedule I	Class B misdemeanor	Maximum imprisonment of 90 days and fine of $250
Louisiana	LSA § 40:966	Schedule I	Unclassified	Maximum 6 months in jail and $500 fine
Michigan	MCL § 333.7403	Schedule I	Unclassified misdemeanor	Maximum 1 year imprisonment and $2,000 fine
Mississippi	MC § 41-29-113 and 139	Schedule I	Unclassified misdemeanor or felony depending upon amount of drug	For example, 0.1 grams to 2 grams, up to 2 years imprisonment and $50,000 fine; 10-30 grams, 6-24 years imprisonment and up to $50,000 fine.
Missouri	MRS § 195.202, 558.011, and 560.016	Schedule I	Class A misdemeanor	Maximum 1 year imprisonment and $1,000 fine
Oklahoma	OSA 63 § 2-204 and § 2-402	Schedule I	Unclassified felony	2-10 years imprisonment and $5,000 fine
Tennessee	TCA § 39-17-438	Not scheduled	Class A misdemeanor	Sentencing guidelines--wide latitude to courts

Notes and Source: This table provides information gleaned from the *Lexis* database of state statutes on first offenses for possessing small amounts of synthetic cannabinoids or the referenced drug schedule, as applicable. Please note that a variety of crime-specific circumstances and elements of criminal procedure impact actual sentences.

News Release
FOR IMMEDIATE RELEASE
November 24, 2010
Contact: DEA Public Affairs
Number: 202-307-7977

DEA Moves to Emergency Control Synthetic Marijuana

Agency Will Study Whether To Permanently Control Five Substances

NOV 24 -- WASHINGTON, D.C. – The United States Drug Enforcement Administration (DEA) is using its emergency scheduling authority to temporarily control five chemicals (JWH-018, JWH-073, JWH-200, CP-47,497, and cannabicyclohexanol) used to make "fake pot" products. Except as authorized by law, this action will make possessing and selling these chemicals or the products that contain them illegal in the U.S. for at least one year while the DEA and the United States Department of Health and Human Services (DHHS) further study whether these chemicals and products should be permanently controlled.

A Notice of Intent to Temporarily Control was published in the *Federal Register* today to alert the public to this action. After no fewer than 30 days, DEA will publish in the *Federal Register* a Final Rule to Temporarily Control these chemicals for at least 12 months with the possibility of a six-month extension. They will be designated as Schedule I substances, the most restrictive category, which is reserved for unsafe, highly abused substances with no medical usage.

Over the past year, smokable herbal blends marketed as being "legal" and providing a marijuana-like high, have become increasingly popular, particularly among teens and young adults. These products consist of plant material that has been coated with research chemicals that mimic THC, the active ingredient in marijuana, and are sold at a variety of retail outlets, in head shops and over the Internet. These chemicals, however, have not been approved by the FDA for human consumption and there is no oversight of the manufacturing process. Brands such as "Spice," "K2," "Blaze," and "Red X Dawn" are labeled as incense to mask their intended purpose.

Since 2009, DEA has received an increasing number of reports from poison centers, hospitals and law enforcement regarding these products. Fifteen states have already taken action to control one or more of these chemicals. The Comprehensive Crime Control Act of 1984 amends the Controlled Substances Act (CSA) to allow the DEA Administrator to emergency schedule an abused, harmful, non-medical substance in order to avoid an imminent public health crisis while the formal rule-making procedures described in the CSA are being conducted.

"The American public looks to the DEA to protect its children and communities from those who would exploit them for their own gain," said DEA Acting Administrator Michele M. Leonhart. "Makers of these harmful products mislead their customers into thinking that 'fake pot' is a harmless alternative to illegal drugs, but that is not the case. Today's action will call further attention to the risks of ingesting unknown compounds and will hopefully take away any incentive to try these products."

###

CS FOR HOUSE BILL NO. 7(JUD)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SEVENTH LEGISLATURE - FIRST SESSION

BY THE HOUSE JUDICIARY COMMITTEE

Offered:
Referred:

Sponsor(s): REPRESENTATIVES MUÑOZ, HERRON, KERTTULA, GATTO, LYNN, AND PRUITT, Costello, Thompson, Millett

A BILL

FOR AN ACT ENTITLED

"An Act classifying certain substances as schedule IIIA controlled substances; and providing for an effective date."

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

*** Section 1.** AS 11.71.160(f) is amended to read:

(f) Schedule IIIA includes**, unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation that contains any quantity of the following substances or that contains any of its salts, isomers, whether optical, position, or geometric, or salts of isomers whenever the existence of those salts, isomers, or salts of isomers is possible within the specific chemical designation:**

(1) hashish;

(2) hash oil or hashish oil;

(3) tetrahydrocannabinols;

(4) parahexyl;

(5) dronabinol (synthetic) in sesame oil and encapsulated in a soft gelatin capsule in a U.S. Food and Drug Administration approved drug product; [AND]

(6) nabilone**;**

(7) (6aR,10aR)-9-(hydroxymethyl)-6, 6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol, also known as HU-210;

(8) (6aS,10aS)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol, also known as Dexanabinol or HU-211;

(9) 1-pentyl-3-(1-naphthoyl)indole, also known as JWH-018;

(10) 1-Butyl-3-(1-naphthoyl)indole, also known as JWH-073;

(11) (2-methyl-1-propyl-1H-indol-3-yl)-1-naphthalenyl-methanone, also known as JWH-015;

(12) 1-pentyl-3-(4-chloro-1-naphthoyl)indole, also known as JWH-398;

(13) 1-pentyl-3-(2-methoxyphenylacetyl)indole, also known as JWH-250;

(14) 1-hexyl-3-(1-naphthoyl)indole, also known as JWH-019;

(15) 1-(2-(4-(morpholinyl)ethyl))-3-(1-naphthoyl) indole, also known as JWH-200;

(16) 2-[(1R,3S)-3-hydroxycyclohexyl]-5-(2-methyloctan-2-yl)phenol, also known as CP 47, 497, and its dimethyloctyl (C8) homologue; in this paragraph, "homologue" means a chemical compound in a series in which each compound differs by one or more alkyl functional groups on an alkyl side chain.

* **Sec. 2.** This Act takes effect immediately under AS 01.10.070(c).

(e) The committee may not meet less than twice a year.

(f) Five members of the committee constitute a quorum, except that a smaller number may adjourn a meeting in the absence of a quorum. A quorum being present, a majority vote of the total membership is required to take official action. (§ 2 ch 45 SLA 1982)

Sec. 11.71.110. Duties of committee. The committee shall

(1) advise the governor of the need to add, delete or reschedule substances in the schedules in AS 11.71.140 — 11.71.190;

(2) recommend regulations for adoption by the Board of Pharmacy to prevent excessive prescription of controlled substances and the diversion of prescription drugs into illicit channels;

(3) evaluate the effectiveness of programs in the state providing treatment and counseling for persons who abuse controlled substances;

(4) recommend programs to the Alaska Court System to be instituted as alternatives to the prosecution or imprisonment of offenders who have no prior criminal record involving controlled substance offenses and who are charged with crimes involving controlled substances;

(5) review and evaluate enforcement policies and practices of the Department of Public Safety and the Department of Law with regard to crimes involving controlled substances, and recommend modifications of those policies and practices consistent with the committee's assessment of the probable danger of particular controlled substances; and

(6) review budget requests and recommend amounts for appropriations to the governor and the legislature for departments and agencies responsible for

(A) enforcing criminal laws pertaining to controlled substances;

(B) providing treatment and counseling of persons who abuse controlled substances; and

(C) regulating the legitimate handling of controlled substances. (§ 2 ch 45 SLA 1982)

Sec. 11.71.120. Authority to schedule controlled substances. (a) If, after considering the factors set out in (c) of this section, the committee decides to recommend that a substance should be added to, deleted from, or rescheduled in a schedule of controlled substances under AS 11.71.140 — 11.71.190, the governor shall introduce legislation in accordance with the recommendation of the committee.

(b) If a substance is added as a controlled substance under federal law, the governor shall introduce legislation in accordance with the federal law.

(c) In advising the governor of the need to add, delete, or reschedule a substance under AS 11.71.110(1), the committee shall assess the danger or probable danger of the substance after considering the following:

(1) the actual or probable abuse of the substance including

(A) the history and current pattern of abuse both in this state and in other states;

(B) the scope, duration, and significance of abuse;

(C) the degree of actual or probable detriment which may result from abuse of the substance;

(D) the probable physical and social impact of widespread abuse of the substance;

(2) the biomedical hazard of the substance including

(A) its pharmacology, in the effects and modifiers of the effects of the substance;

(B) its toxicology, the acute and chronic toxicity, interaction with other substances, whether controlled or not, and the degree to which it may cause psychological or physiological dependence;

(C) the risk to public health and the particular susceptibility of segments of the population;

(3) whether the substance is an immediate precursor of a substance already controlled under this chapter;

(4) the current state of scientific knowledge regarding the substance, including whether there is any acceptable means to safely use the substance under medical supervision;

(5) the relationship between the use of the substance and other criminal activity, including

(A) whether persons engaged in illicit trafficking of the substance are also engaged in other criminal activity;

(B) whether the nature and relative profitability of manufacturing or delivering the substance encourages illicit trafficking in the substance;

(C) whether the commission of other crimes is one of the effects of abuse of the substance;

(D) whether addiction to the substance relates to the commission of crimes to support the continued use of the substance.

(d) *[Repealed, § 40 ch 6 SLA 1984.]*

(e) The committee has no authority over tobacco or alcoholic beverages as defined in AS 04.21.080. (§ 2 ch 45 SLA 1982; am § 40 ch 6 SLA 1984)

Legislative history reports. — For statement of the purpose of the 1984 repeal of subsection (d) of this section, see the 1984 House Journal at p. 2287, in the paragraph captioned "Section 40."

NOTES TO DECISIONS

Construction of former law. — For construction of former AS 17.12.040, concerning regulations and authorizing the commissioner of health and social services to promulgate list of certain drugs, see State v. Erickson, 574 P.2d 1 (Alaska 1978).

Sec. 11.71.140. Schedule IA. (a) A substance shall be placed in schedule IA if it is found under AS 11.71.120(c) to have the highest degree of danger or probable danger to a person or the public.

(b) Schedule IA includes, unless specifically excepted or listed in another schedule, any of the following substances whether produced directly or indirectly by extraction from substances of vegetable origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis:

(1) opium and opiate, and any salt, compound, derivative, or preparation of opium or opiate, excluding apomorphine, dextrorphan, nalbuphine, nalmefene, naloxone, and naltrexone, and their respective salts, but including the following:

(A) raw opium;

(B) opium extracts;

(C) opium fluid extracts;

(D) powdered opium;

(E) granulated opium;

(F) tincture of opium;

(G) codeine;

(H) ethylmorphine;

(I) etorphine hydrochloride;

(J) hydrocodone;

(K) hydromorphone;

(L) metopon;

(M) morphine;

(N) oxycodone;

(O) oxymorphine;

(P) thebaine;

(2) any salt, compound, derivative, or preparation of a substance included in (b)(1) of this section which is chemically equivalent or identical to any of the substances referred

USA TODAY

States race to ban risky 'bath salts' drug

Updated 5h 15m ago |

By **Jessie Halladay**, USA TODAY

A growing number of states are moving to ban a new synthetic drug known as "bath s alts" that can cause severe side effects, including paranoia, hallucinations and sometimes violent behavior.

By Rogelio V. Solis, APThese are examples of fake 'bath salts,' which contain toxic chemicals that some people are using to get a psychotic high.Enlarge

By Rogelio V. Solis, AP

These are examples of fake 'bath salts,' which contain toxic chemicals that some people are using to get a psychotic high.

Emergency bans have been issued in Louisiana, North Dakota and Florida. Legislators in Hawaii, Kentucky, North Dakota and Mississippi have introduced bills to ban the drug, which can be sold legally in stores and online in most places.

Calls to poison centers across the nation have skyrocketed in recent weeks as the drug has grown in popularity, officials in several states say.

Nationwide, there have been more than 360 calls about the drug this year, said Mark Ryan, director of the Louisiana Poison Center, who has been studying the trend.

There were 291 calls in all of 2010, Ryan said.

The drug has been compared to cocaine and methamphetamine because of its addictive characteristics, Ryan said.

Many of the products, sold under names such as Cloud Nine, Ivory Wave and Blue Silk, contain methylenedioxypyrovalerone, or MDPV, which is a chemical not approved for medical use in the United States.

Packages containing the powdery substance are typically labeled "not for human consumption" and marketed as "bath salts," Ryan said, or as plant food or insect repellent.

Users mostly snort the drug, similar to cocaine. But it is versatile and can be

injected, smoked or even eaten, he said.

"It's some serious stuff," said Steven Spady, a Kentucky physician who has treated patients suffering from the effects of bath salts. Patients have exhibited signs of high anxiety, hypertension and agitation and, in one case, the patient was "quite psychotic," Spady said.

Last week, White House drug czar Gil Kerlikowske issued a warning against taking the synthetic products.

"They pose a serious threat to the health and well-being of young people and anyone who uses them," Kerlikowske said in a statement.

Louisiana Gov. Bobby Jindal, a Republican, issued an emergency ban on Jan. 6 for six substances, including MDPV and mephedrone, the most common chemicals in the drug.

Florida Attorney General Pam Bondi also issued an emergency ban that took effect Jan. 26.

"These are dangerous drugs that should not be confused with any type of common bath product," Bondi said.

Sen. Charles Schumer, D-N.Y., said last week that he will introduce legislation to ban bath salts nationwide.

John Moody of St. Joseph, Mo., knows firsthand the devastation bath salts can have. His 29-year-old son, Jarrod, killed himself in October after using the drug for at least two weeks. Moody said his son had struggled with a painkiller addiction a couple of years before.

"I'm sure Jarrod bought this stuff over the counter thinking this stuff can't be that strong, can't be that dangerous," John Moody said. "But, oh my gosh, are they ever."

Ryan said he's certain people don't know what they are in for when they try the drug.

"If you take the worst characteristics of LSD, PCP, Ecstasy, cocaine and methamphetamine and put all those together, you've got one big bad thing," Ryan said.

(xiii) Lysergic acid diethylamide.
(xiv) Mescaline.
(xv) 4-methoxyamphetamine.
(xvi) Methoxymethylenedioxyamphetamine (MMDA).
(xvii) Methylenedioxyamphetamine (MDA).
(xviii) 3, 4-methylenedioxymethamphetamine.
(xix) 3, 4-methylenedioxy-N-ethylamphetamine.
(xx) N-ethyl-3-piperidyl benzilate (JB-318).
(xxi) N-hydroxy-3, 4-methylenedioxyamphetamine.
(xxii) N-methyl-3-piperidyl benzilate (JB-336).
(xxiii) N-(1-phenylcyclohexyl) ethylamine (PCE).
(xxiv) Nabilone.
(xxv) 1-(1-phenylcyclohexyl) pyrrolidine (PHP).
(xxvi) 1-(1-(2-thienyl)-cyclohexyl) piperidine (TCP).
(xxvii) 1-(1-(2-thienyl)-cyclohexyl) pyrrolidine.
(xxviii) Para-methoxyamphetamine (PMA).
(xxix) Psilocybin.
(xxx) Psilocyn.
(xxxi) Synhexyl.
(xxxii) Trifluoromethylphenylpiperazine (TFMPP).
(xxxiii) Trimethoxyamphetamine (TMA).
(xxxiv) 1-PENTYL-3-(NAPHTHOYL)INDOLE (JWH-018 AND ISOMERS).
(xxxv) 1-BUTYL-3-(NAPHTHOYL)INDOLE (JWH-073 AND ISOMERS).
(xxxvi) 1-HEXYL-3-(NAPHTHOYL)INDOLE (JWH-019 AND ISOMERS).
(xxxvii) 1-PENTYL-3-(4-CHLORO NAPHTHOYL)INDOLE (JWH-398 AND ISOMERS).
(xxxviii) 1-(2-(4-(MORPHOLINYL)ETHYL))-3-(NAPHTHOYL)INDOLE (JWH-200 AND ISOMERS).
(xxxix) 1-PENTYL-3-(METHOXYPHENYLACETYL)INDOLE (JWH-250 AND ISOMERS).
(xl) (2-METHYL-1-PROPYL-1H-INDOL-3-YL)-1-NAPHTHALENYL-METHANONE (JWH-015 AND ISOMERS).
(xli) (6aR, 10aR)-9-(HYDROXYMETHYL)-6,6-DIMETHYL-3-(2-METHYLOCTAN2-YL)-6a,7,10,10a-TETRAHYDROBENZO[C]CHROMEN-1-OL) (HU-210).
(xlii) 5-(1,1-DIMETHYLHEPTYL)-2-(3-HYDROXY CYCLOHEXYL)-PHENOL (CP 47,497 AND ISOMERS).
(xliii) 5-(1,1-DIMETHYLOCTYL)-2-(3-HYDROXY CYCLOHEXYL)-PHENOL (CANNABICYCLOHEXANOL, CP-47,497 C8 HOMOLOGUE AND ISOMERS).

(b) Any material, compound, mixture or preparation which contains any quantity of the following substances and their salts, optical isomers, and salts of optical isomers having a potential for abuse associated with a stimulant effect on the central nervous system:

(i) Amphetamine.
(ii) Benzphetamine.
(iii) Benzylpiperazine (BZP).
(iv) Butorphanol.
(v) Cathine ((+)-norpseudoephedrine).

(xx) N-ethyl-3-piperidyl benzilate (JB-318).
(xxi) N-hydroxy-3, 4-methylenedioxyamphetamine.
(xxii) N-methyl-3-piperidyl benzilate (JB-336).
(xxiii) N-(1-phenylcyclohexyl) ethylamine (PCE).
(xxiv) Nabilone.
(xxv) 1-(1-phenylcyclohexyl) pyrrolidine (PHP).
(xxvi) 1-(1-(2-thienyl)-cyclohexyl) piperidine (TCP).
(xxvii) 1-(1-(2-thienyl)-cyclohexyl) pyrrolidine.
(xxviii) Para-methoxyamphetamine (PMA).
(xxix) Psilocybin.
(xxx) Psilocyn.
(xxxi) Synhexyl.
(xxxii) Trifluoromethylphenylpiperazine (TFMPP).
(xxxiii) Trimethoxyamphetamine (TMA).

(b) Any material, compound, mixture or preparation which contains any quantity of the following substances and their salts, optical isomers, and salts of optical isomers having a potential for abuse associated with a stimulant effect on the central nervous system:

(i) Amphetamine.
(ii) Benzphetamine.
(iii) Benzylpiperazine (BZP).
(iv) Butorphanol.
(v) Cathine ((+)-norpseudoephedrine).
(vi) Cathinone.
(vii) Chlorphentermine.
(viii) Clortermine.
(ix) Diethylpropion.
(x) Fencamfamin.
(xi) Fenethylline.
(xii) Fenproporex.
(xiii) Mazindol.
(xiv) Mefenorex.
(xv) Methamphetamine.
(xvi) Methcathinone.
(xvii) 4-methylaminorex.
(xviii) Methylenedioxymethcathinone
(xix) Methylenedioxypyrovalerone
(xx) Methylmethcathinone
(xviii) Methylphenidate.
(xix) Modafinil.
(xx) N-ethylamphetamine.
(xxi) N, N-dimethylamphetamine.
(xxii) Pemoline.
(xxiii) Phendimetrazine.
(xxiv) Phenmetrazine.
(xxv) Phentermine.
(xxvi) Pipradol.
(xxvii) Propylhexedrine.
(xxviii) Pyrovalerone.
(xxix) Sibutramine.
(xxx) Spa ((-)-1-dimethylamino-1,2-diphenylethane).

(c) Any material, compound, mixture or preparation which contains any quantity of the following substances having a potential for abuse associated with a depressant effect on the central nervous system: