

H.B. NO. 1405

A BILL FOR AN ACT

RELATING TO CONTROLLED SUBSTANCES.

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

1 SECTION 1. Section 329-59, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "**§329-59 Controlled substance registration revolving fund;**
4 **established.** (a) There is established within the state
5 treasury the controlled substance registration revolving fund.
6 The fund shall be expended at the discretion of the director of
7 public safety for the purpose of:

8 (1) Offsetting the cost of the electronic prescription
9 accountability system, investigation of violations,
10 the registration and control of the manufacture,
11 distribution, prescription, and dispensation of
12 controlled substances and regulated chemicals listed
13 under section 329-61, within the State and the
14 processing and issuance of a patient registry
15 identification certificate designated under part IX;
16 [and]

17 (2) Funding positions authorized by the legislature by
18 law[-]; or

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1 (3) Funding the narcotics enforcement division's forensic
2 drug laboratory facility.

3 (b) The fund shall consist of all moneys derived from fees
4 collected pursuant to sections 329-31, 329-67, and 329-123(b)
5 and legislative appropriations. All fees collected pursuant to
6 sections 329-31, 329-67, and 329-123(b) shall be deposited in
7 the controlled substance registration revolving fund."

8 SECTION 2. Statutory material to be repealed is bracketed
9 and stricken. New statutory material is underscored.

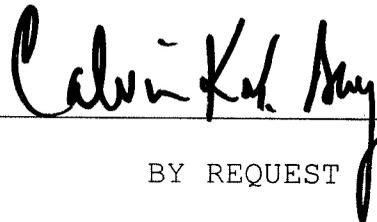
10 SECTION 3. This Act shall take effect upon its approval.

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INTRODUCED BY:



BY REQUEST

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JAN 22 2007

JUSTIFICATION SHEET

DEPARTMENT: Public Safety

TITLE: A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES.

PURPOSE: The purpose of this bill is to amend section 329-59, Hawaii Revised Statutes (HRS), to authorize the use of the controlled substance registration revolving fund to offset the cost of the Department of Public Safety Narcotic Enforcement Division's (NED) forensic drug laboratory and costs associated with investigating violations relating to violations of the Uniform Controlled Substance Act, Chapter 329 HRS.

MEANS: Amend section 329-59, HRS.

JUSTIFICATION: During the 2004 legislative session, NED was authorized an expenditure ceiling increase of \$100,000 for fiscal year 2004-2005 and \$30,000 for fiscal year 2006 from NED's Controlled Substance Registration Revolving Fund for the initial start up cost of a forensic drug laboratory located in the Narcotics Enforcement Division. The Department is requesting that section 329-59, HRS, be amended to reflect that the \$325,000 fund can be utilized to offset the cost of the NED forensic drug laboratory and cost associated with investigating violations relating to the registration and control of controlled substances.

Impact on the public: Allow NED to conduct forensic drug analysis on evidence seized in cases originating from cases imitated by physicians, pharmacies and hospitals.

Impact on the department and other agencies: This change would benefit the Department of Public Safety by allowing the Narcotic Enforcement Division to conduct its own forensic drug analysis which would benefit all state agencies which the division services.

GENERAL FUND: None.

OTHER FUNDS: \$325,000 Controlled Substance Registration
Revolving Fund

PPBS PROGRAM
DESIGNATION: PSD 502.

OTHER AFFECTED
AGENCIES: Department of Transportation;
Department of Land and Natural
Resources; Department of Public
Safety Law Enforcement and
Corrections Administrations;
Department of Budget and Finance.

EFFECTIVE DATE: Upon approval.