
A BILL FOR AN ACT

RELATING TO CONTROLLED SUBSTANCES.

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

1 SECTION 1. Chapter 321, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§321- Establishment of community inpatient drug
5 treatment centers. There shall be established a community
6 inpatient drug treatment center for each senatorial district of
7 the state by 2010, under the direction and administration of the
8 director. Any community inpatient drug treatment center may be
9 integrated and operated concurrently with any state hospital.
10 Each center shall be located in the area of the district
11 comprising the majority of that district's aggregate population,
12 and shall provide for the inpatient treatment of persons for
13 drug abuse."

14 SECTION 2. Chapter 353, Hawaii Revised Statutes, is
15 amended by adding a new section to be appropriately designated
16 and to read as follows:

17 "§353- School lecturing as condition for paroles. (a)

18 The Hawaii paroling authority may require, as a condition of



1 parole, that an eligible parolee serve as a guest lecturer at
2 any high school in the state to inform students of the impacts
3 of crystal methamphetamine on individuals and society.

4 (b) For the purposes of this section:

5 "Eligible parolee" means a parolee who has been:

6 (1) Convicted of an offense relating to crystal
7 methamphetamine addiction or treated for crystal
8 methamphetamine addiction; and

9 (2) Determined by the paroling authority to pose no threat
10 to the safety and welfare of students attending any
11 high school at which the parolee would be lecturing."

12 SECTION 3. Section 329-22, Hawaii Revised Statutes, is
13 amended to read as follows:

14 "§329-22 **Schedule V.** (a) The controlled substances
15 listed in this section are included in schedule V.

16 (b) Narcotic drugs containing nonnarcotic active medicinal
17 ingredients. Any compound, mixture, or preparation containing
18 limited quantities of any of the following narcotic drugs, which
19 also contains one or more nonnarcotic active medicinal ingredients
20 in sufficient proportion to confer upon the compound, mixture, or
21 preparation, valuable medicinal qualities other than those
22 possessed by the narcotic drug alone:



- 1 (1) Not more than 200 milligrams of codeine, or any of its
2 salts, per 100 milliliters or per 100 grams;
- 3 (2) Not more than 100 milligrams of dihydrocodeine, or any
4 of its salts, per 100 milliliters or per 100 grams;
- 5 (3) Not more than 100 milligrams of ethylmorphine, or any of
6 its salts, per 100 milliliters or per 100 grams;
- 7 (4) Not more than 2.5 milligrams of diphenoxylate and not
8 less than 25 micrograms of atropine sulfate per dosage
9 unit;
- 10 (5) Not more than 100 milligrams of opium per 100
11 milliliters or per 100 grams; and
- 12 (6) Not more than 0.5 milligram of difenoxin and not less
13 than 25 micrograms of atropine sulfate per dosage unit.
- 14 (c) Stimulants. Unless specifically exempted or excluded
15 or unless listed in another schedule, any material, compound,
16 mixture, or preparation that contains any quantity of the
17 following substances having a stimulant effect on the central
18 nervous system, including its salts, isomers, and salts of
19 isomers:
- 20 (1) Pyrovalerone.
- 21 (d) Substances used for the production of crystal
22 methamphetamine, including:



- 1 (1) Ephedrine, its salts, optical isomers, and salts of
- 2 optical isomers;
- 3 (2) Pseudoephedrine, its salts, optical isomers, and salts
- 4 of optical isomers;
- 5 (3) Phenylpropanolamine, its salts, optical isomers, and
- 6 salts of optical isomers;
- 7 (4) Hydriodic acid;
- 8 (5) Iodine at concentrations greater than one and one-half
- 9 per cent by weight in a solution or matrix above the
- 10 threshold of two ounces in a single transaction; and
- 11 (6) Red phosphorus."

12 SECTION 4. Section 329-61, Hawaii Revised Statutes, is
13 amended by amending subsection (a) to read as follows:

14 "(a) List 1 chemicals. Any manufacturer, wholesaler,
15 retailer, or other person who sells, transfers, or otherwise
16 furnishes any of the following substances to any person in this
17 State or for use in this State shall submit a report to the
18 department of all those transactions:

- 19 (1) Phenyl-2-propanone;
- 20 (2) Methylamine and its salts;
- 21 (3) Phenylacetic acid, its esters and salts;



- 1 [~~(4)~~] ~~Ephedrine, its salts, optical isomers, and salts of~~
2 ~~optical isomers;~~
- 3 [~~(5)~~] ~~Pseudoephedrine, its salts, optical isomers, and salts~~
4 ~~of optical isomers;~~
- 5 [~~(6)~~] (4) Norpseudoephedrine, its salts, optical isomers,
6 and salts of optical isomers;
- 7 [~~(7)~~] ~~Phenylpropanolamine, its salts, optical isomers, and~~
8 ~~salts of optical isomers;~~
- 9 [~~(8)~~] ~~Hydriodic acid;~~
- 10 [~~(9)~~] (5) Benzyl cyanide;
- 11 [~~(10)~~] (6) Benzyl chloride;
- 12 [~~(11)~~] (7) N-methylformamide;
- 13 [~~(12)~~] (8) N-methylephedrine, its salts, optical isomers,
14 and salts of optical isomers;
- 15 [~~(13)~~] (9) N-ethylephedrine;
- 16 [~~(14)~~] (10) N-ethylpseudoephedrine;
- 17 [~~(15)~~] (11) N-methylpseudoephedrine, its salts, optical
18 isomers, and salts of optical isomers;
- 19 [~~(16)~~] (12) Chloroephedrine;
- 20 [~~(17)~~] (13) Chloropseudoephedrine;
- 21 [~~(18)~~] (14) Ethylamine;
- 22 [~~(19)~~] (15) D-lysergic acid;



- 1 [~~(20)~~] (16) Ergotamine and its salts;
- 2 [~~(21)~~] (17) Piperidine and its salts;
- 3 [~~(22)~~] (18) N-acetylanthranilic acid, its esters and salts;
- 4 [~~(23)~~] (19) Anthranilic acid, its esters and salts;
- 5 [~~(24)~~] (20) Propionic anhydride;
- 6 [~~(25)~~] (21) Isosafrole;
- 7 [~~(26)~~] (22) Safrole;
- 8 [~~(27)~~] (23) Piperonal;
- 9 [~~(28)~~] (24) Thionylchloride;
- 10 [~~(29)~~] (25) Ergonovine and its salts;
- 11 [~~(30)~~] (26) 3,4-Methylenedioxyphenyl-2-propanone;
- 12 [~~(31)~~] (27) Benzaldehyde;
- 13 [~~(32)~~] (28) Nitroethane;
- 14 [~~(33)~~] ~~Red phosphorus;~~
- 15 ~~(34)] (29) Iodine crystals;~~
- 16 [~~(35)~~] ~~Iodine at concentrations greater than 1.5 per cent by~~
- 17 ~~weight in a solution or matrix above the threshold of~~
- 18 ~~two ounces in a single transaction;~~
- 19 ~~(36)] (30) Gamma butyrolactone (GBL) including~~
- 20 butyrolactone; butyrolactone gamma; 4-butyrolactone;
- 21 2(3H)-furanone dihydro; dihydro-2(3H)-furanone;
- 22 tetrahydro-2-furanone; 1,2-butanolide; 1,4-butanolide;



1 4-butanolide; gamma-hydroxybutyric acid lactone; 3-
2 hydroxybutyric acid lactone; and 4-hydroxybutanoic
3 acid lactone with chemical abstract service number 96-
4 48-0;

5 [~~+37~~] (31) 1,4-butanediol, including butanediol; butane-1,4-
6 diol; 1,4-butylene glycol; butylene glycol; 1,4-
7 dihydroxybutane; 1,4-tetramethylene glycol;
8 tetramethylene glycol; and tetramethylene; 1,4-diol;

9 [~~+38~~] (32) Hypophosphorous acid and its salts (including
10 ammonium hypophosphite, calcium hypophosphite, iron
11 hypophosphite, potassium hypophosphite, manganese
12 hypophosphite, magnesium hypophosphite, and sodium
13 hypophosphite);

14 [~~+39~~] (33) White phosphorus (other names yellow phosphorus);
15 and

16 [~~+40~~] (34) Anhydrous ammonia."

17 SECTION 5. There is appropriated out of the general
18 revenues of the State of Hawaii the sum of \$250,000, or so much
19 thereof as may be necessary for fiscal year 2007-2008, for the
20 city and county of Honolulu to hire regionally designated
21 detectives to focus on criminal cases involving unlawful
22 methamphetamine trafficking; provided that the detectives shall



1 be hired from another county and shall rotate to other counties
2 every twelve months or less.

3 The sum appropriated shall be expended by the city and
4 county of Honolulu for the purposes of this Act.

5 SECTION 6. There is appropriated out of the general
6 revenues of the State of Hawaii the sum of \$250,000, or so much
7 thereof as may be necessary for fiscal year 2007-2008, for the
8 county of Hawaii to hire regionally designated detectives to
9 focus on criminal cases involving unlawful methamphetamine
10 trafficking; provided that the detectives shall be hired from
11 another county and shall rotate to other counties every twelve
12 months or less.

13 The sum appropriated shall be expended by the county of
14 Hawaii for the purposes of this Act.

15 SECTION 7. There is appropriated out of the general
16 revenues of the State of Hawaii the sum of \$250,000, or so much
17 thereof as may be necessary for fiscal year 2007-2008, for the
18 county of Kauai to hire regionally designated detectives to
19 focus on criminal cases involving unlawful methamphetamine
20 trafficking; provided that the detectives shall be hired from
21 another county and shall rotate to other counties every twelve
22 months or less.



1 The sum appropriated shall be expended by the county of
2 Kauai for the purposes of this Act.

3 SECTION 8. There is appropriated out of the general
4 revenues of the State of Hawaii the sum of \$250,000, or so much
5 thereof as may be necessary for fiscal year 2007-2008, for the
6 county of Maui to hire regionally designated detectives to focus
7 on criminal cases involving unlawful methamphetamine
8 trafficking; provided that the detectives shall be hired from
9 another county and shall rotate to other counties every twelve
10 months or less.

11 The sum appropriated shall be expended by the county of
12 Maui for the purposes of this Act.

13 SECTION 9. Statutory material to be repealed is bracketed
14 and stricken. New statutory material is underscored.

15 SECTION 10. This Act shall take effect upon its approval;
16 provided that sections 5, 6, 7, and 8 shall take effect on July
17 1, 2007.

18

INTRODUCED BY:

John
Paul
Agarwal
John M. Aggarwal
JAN 18 2007

Report Title:

Controlled Substances; Prevention and Treatment

Description:

Establishes community inpatient drug treatment centers in each state senatorial district by 2010. Requires certain parolees to give lectures on the dangers of methamphetamine at high schools. Adds substances used to produce methamphetamine to the list of controlled substances. Appropriates funds for county detectives investigating methamphetamine cases.

