

SENATE BILL REPORT

SB 5191

As Reported By Senate Committee On:
Law & Justice, March 3, 1997

Title: An act relating to crimes involving methamphetamine.

Brief Description: Increasing penalties for methamphetamine crimes.

Sponsors: Senators Goings, Roach, Haugen, Schow, Oke, Winsley and Rasmussen.

Brief History:

Committee Activity: Law & Justice: 2/28/97, 3/3/97 [DPS].

SENATE COMMITTEE ON LAW & JUSTICE

Majority Report: That Substitute Senate Bill No. 5191 be substituted therefor, and the substitute bill do pass.

Signed by Senators Roach, Chair; Johnson, Vice Chair; Goings, Hargrove, Haugen, Long, Stevens and Zarelli.

Staff: Martin Lovinger (786-7443)

Background: The use and manufacture of the illegal drug methamphetamine have produced two major problems for society. First, it is a dangerous and powerful stimulant that has become the cheapest and most available drug in the Western states. Among the manifestations that can follow the use of methamphetamine are aggression, paranoia, and increased levels of violence. Not only are the users of methamphetamine affected adversely by its use, but the psychological and physical reactions of the users pose a serious threat to innocent bystanders, as well as the law enforcement officers who have to deal with this problem.

The second major problem is that the production of the drug is cheap and easy, but extremely dangerous. And the danger does not stop after the production has ceased. The chemical combinations used in the manufacture of methamphetamine are highly toxic and the costs of cleanup can be a significant and unexpected burden on a community in which a production lab has been operating.

The current maximum penalty for manufacturing, delivering or possession with intent to manufacture or deliver methamphetamine is ten years in prison and a fine of \$50,000 for each kilogram involved when the amount is two or more kilograms.

The current maximum penalty for possession of ephedrine or pseudoephedrine with the intent to manufacture methamphetamine is ten years in prison and a \$25,000 fine.

Summary of Substitute Bill: It is a most serious offense for purposes of sentencing under the persistent offender statute to manufacture, deliver, or possess with intent to manufacture or deliver, methamphetamine.

It is a most serious offense for purposes of sentencing under the persistent offender statute to possess ephedrine or pseudoephedrine with the intent to manufacture methamphetamine.

When a person is convicted of either of these crimes, \$3,000 of the maximum fine allowed may not be suspended. The first \$3,000 of fine money collected from the defendant must be given to the law enforcement agency that has responsibility for cleanup of the laboratories or substances used in the manufacture of methamphetamine. The money given to the law enforcement agency must be used for cleanup costs.

Substitute Bill Compared to Original Bill: The original bill was not considered.

Appropriation: None.

Fiscal Note: Available.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: Methamphetamine manufacturing is dangerous to people and property. The cleanup of a meth laboratory is expensive and dangerous. The number of meth laboratories is increasing. Meth laboratories are causing a significant increase in responsibilities for the Washington State Patrol, in addition to heavy burden on local police. This bill is a good step toward addressing the scars produced by methamphetamine production.

Testimony Against: None.

Testified: Ben Reisz, Sumner Police Chief (pro); Annette Sandberg, Chief, Washington State Patrol (pro).