

HB 658 -- METH LAB ELIMINATION ACT

SPONSOR: Schatz

COMMITTEE ACTION: Voted "do pass" by the Committee on Crime Prevention and Public Safety by a vote of 11 to 3.

This bill removes methamphetamine precursor drugs from the list of Schedule IV and Schedule V controlled substances and reclassifies them to the list of Schedule III. As a result of the reclassification, a physician's prescription will be required to obtain any of these drugs. These provisions are to be known as the Meth Lab Elimination Act.

The bill also repeals provisions regarding the required logging and recording of the sales as well as the storage of these drugs behind the counter from public access.

FISCAL NOTE: Estimated Net Effect on General Revenue Fund of an income of \$0 or a cost of \$400,000 in FY 2012, an income of \$0 in FY 2013, and an income of \$0 in FY 2014. No impact on Other State Funds in FY 2012, FY 2013, and FY 2014.

PROPONENTS: Supporters say that methamphetamine use has taken a toll on citizens, including law enforcement, fire departments, and emergency medical personnel. The number of meth labs in the state is increasing and something needs to be done to stop it. Pseudoephedrine is a required element in the production of meth. Prior to 1976, it could only be acquired in Missouri with a physician's prescription, and the bill revises the laws back to this requirement. Prior attempts to reduce meth production have been unsuccessful. The bill effectively attacks this growing problem.

Testifying for the bill were Representative Schatz; John Jordan, Cape Girardeau County Sheriff; State Highway Patrol; John Hewkin, Towne Pharmacy/Medicine Cabinet Pharmacy; Danny Whiteley, Poplar Bluff Police Department; Missouri State Council of Fire Fighters; Lane Roberts; James Kanatzar; Missouri State Troopers Association; Office of the Attorney General; Missouri Police Chiefs Association; Oliver Boyer; Tom Neer; and Jason Grellner, Missouri Narcotics Officers Association.

OPPONENTS: Those who oppose the bill say that keeping access to pseudoephedrine for the legitimate consumer is important, especially for asthma and allergy sufferers. Those who want meth will find a way to circumvent the prescription-only requirement. The current electronic tracking system for purchasing pseudoephedrine drugs has only been in place since December, which is not enough time to determine if it will be successful in

reducing meth use and the number of meth labs.

Testifying against the bill were Mandy Hagan, Consumer Healthcare Products Association; Jordan Wildesmuth, Asthma and Allergy Foundation of America-St. Louis; Todd Isaac "Ike" Skelton; Associated Industries of Missouri; Missouri Pharmacy Association; and Missouri Retailers Association.

OTHERS: Others testifying on the bill say that the State of Oregon moved to a prescription-only requirement in 2005 and has seen only positive results. Violent crimes and child abuse and neglect cases have decreased. The State of Mississippi had a 68% reduction in the number of meth labs in the first six months after passing legislation similar to this bill. Individuals have discovered ways to evade the electronic tracking system, rendering it ineffective.

Testifying on the bill was Bob Bovett, Office of the District Attorney, Lincoln County, Oregon.