

MINUTES OF THE PUBLIC HEALTH AND WELFARE COMMITTEE

The meeting was called to order by Chairman Vicki Schmidt at 1:30 p.m. on March 3, 2011, in Room 546-S of the Capitol.

All members were present except:

Senator Mary Pilcher-Cook, excused

Committee staff present:

Nobuko Folmsbee, Office of the Revisor of Statutes
Katherine McBride, Office of the Revisor of Statutes
Melissa Calderwood, Kansas Legislative Research Department
Iraida Orr, Kansas Legislative Research Department
Estelle Montgomery, Kansas Legislative Research Department
Carolyn Long, Committee Assistant

Conferees appearing before the Committee:

Jeremiah Morris, Senior Forensic Scientist, Johnson County Sheriff's Office
Chief James D. Hill, City of Salina

Others attending:

See attached list.

The Chair called for approval of the minutes, as presented, for February 9, February 10, February 14, February 15, February 16, February 17 and February 21, 2011. Moved by Senator Kelsey, seconded by Senator Brungardt. Motion carried.

The Chair opened the hearings on **HB 2049—Amending the controlled substances schedule regarding tetrahydrocannabinols and related substances** and **HB 2249—Adding chemical compounds known as “bath salts” to the controlled substances schedule**. The Chair indicated that although they were introduced in the House separately, it was the committee's intent to combine the two into a substitute bill which would merge the language of both bills; therefore, conferees, when appearing, could speak on behalf of both.

HB 2049 would amend KSA 65-4105 concerning controlled substances included in schedule 1. A type of synthetic marijuana commonly referred to as K-3 would be included in the new subsection. It would also move Tetrahydrocannabinols, commonly known as THC to a new subsection addressing cannabinoids. It would be illegal to cultivate, distribute, possess, or possess with the intent to distribute the substances.

HB 2249 would add substituted cathinones, or “bath salts” to the list of schedule I controlled substances, which would make it illegal to sell or possess the drugs.

Jeremiah Morris, Senior Forensic Scientist, Johnson County Sheriff's Office Criminalistics Laboratory, spoke in favor of both bills. He stated that **HB 2049** takes an unprecedented approach to control by adding several general classes of synthetic cannabinoids to the list of Schedule I controlled substances (Attachment #1). **HB 2249** takes a proactive approach to controlling substituted cathinones. This also uses the general chemical class approach, the benefit of which allows substituted cathinones immediate control. Manufacturers of these “bath salts” understand the law and know several compounds are available to them. Kansas forensic laboratories agree that chemical class approach would be the best and most effective means of controlling substituted cathinones. Support of both of these bills would prohibit illicit possession and abuse of these substituted cathinones but would not restrict legitimate research (Attachment #2).

Chief James D. Hill, City of Salina shared with the committee the alarming rise in popularity the synthetically altered potpourri and/or bath salt compounds are experiencing. It is unclear as to whether the phenomenon of synthetic cannabinoids and bath salts is a passing fancy or a long-term substance abuse trend that will remain in vogue. It is clear however that it has proven to be very profitable for the people manufacturing and selling them and devastating to the people who choose to ingest them. Very little is known about the pharmacology, toxicology and safety profile of these compounds in humans. He urged the legislature to close the legal loopholes that allow these dangerous drugs to be sold to Kansas citizens (Attachment #3).

CONTINUATION SHEET

The minutes of the Public Health and Welfare Committee at 1:30 p.m.. on March 3, 2011, in Room 546-S of the Capitol.

The Committee's attention was directed to written testimony from Mike Jennings, Assistant District Attorney, Wichita/Sedgwick County (Attachment #4), Thomas R. Stanton, Deputy Reno County District Attorney (Attachment #5), Debra Billingsley, The Kansas Board of Pharmacy (Attachments #6 and #7), Brandy Taylor (Attachment #8), and Ed Klumpff, Kansas Sheriff's Association(Attachment #9).

There being no further conferees, the hearings on **HB 2049** and **HB 2049** were closed.

The next meeting is scheduled for March 7, 2011.

The meeting was adjourned at 2:30 p.m.