

# HOUSE BILL REPORT

## ESB 6139

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**As Passed House - Amended:**

March 4, 1998

**Title:** An act relating to amphetamine.

**Brief Description:** Increasing penalties for manufacture and delivery of amphetamine.

**Sponsors:** Senate Committee on Law & Justice (originally sponsored by Senators Oke, Swecker, T. Sheldon, Goings, Rasmussen, and Benton).

**Brief History:**

**Committee Activity:**

Criminal Justice & Corrections: 2/27/98 [DP];

Appropriations: 2/28/98 [DPA].

**Floor Activity:**

Passed House - Amended: 3/4/98, 98-0.

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### HOUSE COMMITTEE ON CRIMINAL JUSTICE & CORRECTIONS

**Majority Report:** Do pass. Signed by 12 members: Representatives Ballasiotes, Chair; Benson, Vice Chair; Koster, Vice Chair; Quall, Ranking Minority Member; O'Brien, Assistant Ranking Minority Member; Cairnes; Dickerson; Hickel; McCune; Mitchell; Radcliff; and Sullivan.

**Staff:** Mark Hamilton (786-7310).

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### HOUSE COMMITTEE ON APPROPRIATIONS

**Majority Report:** Do pass as amended. Signed by 31 members: Representatives Huff, Chairman; Alexander, Vice Chairman; Clements, Vice Chairman; Wensman, Vice Chairman; H. Sommers, Ranking Minority Member; Doumit, Assistant Ranking Minority Member; Gombosky, Assistant Ranking Minority Member; Benson; Carlson; Chopp; Cody; Cooke; Crouse; Dyer; Grant; Keiser; Kenney; Kessler; Lambert; Linville; Lisk; Mastin; McMorris; Parlette; Poulsen; Regala; D. Schmidt; Sehlin; Sheahan; Talcott and Tokuda.

**Staff:** Dave Johnson (786-7154).

**Background:** *Amphetamine Crimes:* Amphetamine is a Schedule II drug. A person convicted of manufacturing, delivering, or possessing with the intent to manufacture or deliver amphetamine is guilty of a class C felony ranked at seriousness level IV on the sentencing grid, punishable by three to nine months imprisonment for the first offense. A maximum of five years imprisonment and a \$10,000 fine are authorized.

**Summary of Bill:** A person convicted of manufacturing, delivering, or possessing with the intent to manufacture or deliver amphetamine is guilty of a class B felony ranked at seriousness level VIII on the sentencing grid, punishable by 21 to 27 months imprisonment for the first offense. The maximum imprisonment is 10 years. The offender is also subject to a fine of no more than \$25,000 for an amount less than two kilograms. For amounts over two kilograms, the fine can be no more than \$100,000 for the first two kilograms nor more than \$50 for each gram over two kilograms. The first \$3,000 of the fines cannot be suspended and are sent to the law enforcement agency responsible for the site cleanup.

*Null and Void Clause.* The act is null and void if specific funding is not provided in the omnibus appropriations act to implement it.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** Ninety days after adjournment of session in which bill is passed. However, the bill is null and void unless funded in the budget.

**Testimony For:** (Criminal Justice & Corrections) This is a good bill, which had good support in the Senate and is supported by prosecutors.

(Appropriations) None.

**Testimony Against:** (Criminal Justice & Corrections) None.

(Appropriations) None.

**Testified:** (Criminal Justice & Corrections) Senator Bob Oke, prime sponsor.

(Appropriations) None.