



CONTROLLED SUBSTANCES BOARD
Contact: Dan Williams (608) 266-2112
Room 121A, 1400 East Washington Avenue, Madison
AUGUST 12, 2014

The following agenda describes the issues that the Board plans to consider at the meeting. At the time of the meeting, items may be removed from the agenda. Please consult the meeting minutes for a description of the actions and deliberations of the Board.

AGENDA

9:30 A.M.

OPEN SESSION - CALL TO ORDER – ROLL CALL

- A. **Adoption of Agenda (1-2)**
- B. **Approval of Minutes of June 16, 2014 (3)**
- C. **Legislation and Rule Matters – Discussion and Consideration**
 - 1) Update on CR 14-009 Amending CSB 3 Relating to Special Use Authorizations **(4-6)**
 - 2) Implementation of Recent Legislation
 - a. Act 267 Relating to Cannabidoil (CBD) **(7-8)**
 - b. Act 351 Relating to Scheduling of Drugs **(9-16)**
 - 3) Scheduling Tramadol as a Schedule IV Controlled Substance
 - 4) Request by Wisconsin Crime Lab as to Possible Amendment of CSB 3 **(17-18)**
 - 5) Update on Pending and Possible Rulemaking Projects
- D. Discussion and Consideration of Items Received After Preparation of the Agenda:
 - 1) Introductions, Announcements, and Recognition
 - 2) Presentations of Petition(s) for Summary Suspension
 - 3) Presentation of Proposed Stipulation(s), Final Decision(s) and Order(s)
 - 4) Presentation of Final Decision and Order(s)
 - 5) Informational Item(s)
 - 6) DLSC Matters
 - 7) Status of Statute and Administrative Rule Matters
 - 8) Education and Examination Matters
 - 9) Credentialing Matters
 - 10) Practice Questions
 - 11) Legislation / Administrative Rule Matters
 - 12) Liaison Report(s)
 - 13) Speaking Engagement(s), Travel, or Public Relations Request(s)
 - 14) Consulting with Legal Counsel

E. Public Comments

CONVENE TO CLOSED SESSION to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85(1)(b), Stats.); to consider closing disciplinary investigations with administrative warnings (ss. 19.85 (1)(b), and 440.205, Stats.); to consider individual histories or disciplinary data (s. 19.85 (1)(f), Stats.); and to confer with legal counsel (s. 19.85(1)(g), Stats.).

F. Deliberation of Items Received After Preparation of the Agenda

- 1) Professional Assistance Procedure (PAP)
- 2) Monitoring Matters
- 3) Administrative Warnings
- 4) Review of Administrative Warning
- 5) Proposed Stipulations, Final Decisions and Orders
- 6) Proposed Final Decisions and Orders
- 7) Orders Fixing Costs/Matters Related to Costs
- 8) Petitions for Summary Suspension
- 9) Petitions for Re-hearings
- 10) Complaints
- 11) Examination Issues
- 12) Credential Issues
- 13) Appearances from Requests Received or Renewed
- 14) Motions
- 15) Consulting with Legal Counsel

RECONVENE INTO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION
Voting on Items Considered or Deliberated on in Closed Session, If Voting is Appropriate

ADJOURNMENT

**CONTROLLED SUBSTANCES BOARD
MEETING MINUTES
JUNE 16, 2014**

PRESENT: Yvonne Bellay, Alan Bloom, Doug Englebert, Martin Koch, Gunnar Larson

EXCUSED: Franklin LaDien

STAFF: Dan Williams – Executive Director; Jelena Gagula – Bureau Assistant; Pamela Stach – Board Legal Counsel, and other DSPS Staff

CALL TO ORDER

Doug Englebert called the meeting to order at 11:30 a.m. A quorum of five (5) members was confirmed.

ADOPTION OF AGENDA

MOTION: Alan Bloom moved, seconded by Martin Koch, to adopt the agenda as published. Motion carried unanimously.

**ADOPTION OF CR 14-009 AMENDING CSB 3 RELATING TO SPECIAL USE
AUTHORIZATIONS**

MOTION: Alan Bloom moved, seconded by Yvonne Bellay, to approve the Adoption Order for Clearinghouse Rule 14-009. Motion carried unanimously.

ADJOURNMENT

MOTION: Martin Koch moved, seconded by Yvonne Bellay, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 11:34 p.m.

**State of Wisconsin
Department of Safety & Professional Services**

AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request: Sharon Henes Administrative Rules Coordinator		2) Date When Request Submitted: 28 July 2014 Items will be considered late if submitted after 12:00 p.m. on the deadline date: ▪ 8 business days before the meeting	
3) Name of Board, Committee, Council, Sections: Controlled Substances Board			
4) Meeting Date: 12 August 2014	5) Attachments: <input type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Legislation and Rule Matters – Discussion and Consideration 1. Update on CR 14-009 amending CSB 3 relating to Special Use Authorizations 2. Implementation of Recent Legislation a. Act 267 Relating to Cannabidoil (CBD) b. Act 351 Relating to Scheduling of Drugs 3. Scheduling Tramadol as a Schedule IV Controlled Substance 4. Update on Pending and Possible Rulemaking Projects	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session <input type="checkbox"/> Both	8) Is an appearance before the Board being scheduled? <input type="checkbox"/> Yes (Fill out Board Appearance Request) <input type="checkbox"/> No	9) Name of Case Advisor(s), if required:	
10) Describe the issue and action that should be addressed: <u>Information regarding Tramadol</u> On July 2, 2014, the DEA published in the Federal Register the final rule placing tramadol into schedule IV of the federal Controlled Substance Act. The rule will become effective on August 18, 2014. Per 961.11(4), the Board by affirmative action shall similarly treat Tramadol after the expiration of 30 days from the date of federal publication unless within that 30 day period, the board or an interested party objects to the treatment of the substance. If no objection is made, the Board shall promulgate rules.			
11) Authorization <div style="display: flex; justify-content: space-between; align-items: center;"> <div style="text-align: center; width: 45%;"> <p style="font-size: 1.2em; font-family: cursive;"><i>Sharon Henes</i></p> <hr/> <p>Signature of person making this request</p> </div> <div style="text-align: center; width: 45%;"> <p style="font-size: 1.2em; font-family: cursive;"><i>28 July 2014</i></p> <hr/> <p>Date</p> </div> </div> <hr/> <div style="display: flex; justify-content: space-between; align-items: center;"> <div style="width: 45%;"> <p>Supervisor (if required)</p> <hr/> <p>Executive Director signature (indicates approval to add post agenda deadline item to agenda)</p> </div> <div style="width: 45%;"> <p>Date</p> <hr/> <p>Date</p> </div> </div>			
Directions for including supporting documents: 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, Provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.			

Chapter CSB 3

SPECIAL USE AUTHORIZATION

CSB 3.01	Authority.
CSB 3.02	Definitions.
CSB 3.03	Permits generally.
CSB 3.04	SUA permit application.
CSB 3.045	Limited special use authorization.

CSB 3.05	Limitations on narcotic dog trainer drugs and drug quantities.
CSB 3.06	Amendment.
CSB 3.07	Record-keeping; records retention; disclosure.
CSB 3.08	Violations.

CSB 3.01 Authority. The provisions in this chapter are adopted under the authority in s. 961.335 (8), Stats.

History: CR 12-010: cr. Register October 2012 No. 682, eff. 11-1-12.

CSB 3.02 Definitions. In this chapter:

- (1) "Board" means the controlled substances board.
- (2) "Controlled substance" has the meaning given in s. 961.01 (4), Stats.
- (3) "Humane shelter" means a facility that is intended to provide for and promote the welfare, protection, shelter, and humane treatment of animals, and that is operated by a humane society, animal welfare society, animal rescue group or other non-profit group. "Humane shelter" includes a shelter that provides foster care to animals.
- (4) "Special use" means to manufacture, obtain, possess, use, administer, or dispense a controlled substance for purposes that include, but are not limited to, scientific research, instructional activities, chemical analysis, drug-detecting animal training, and euthanasia in humane shelters.
- (5) "Special use authorization" or "SUA" means permission from the board to manufacture, obtain, possess, use, administer, or dispense a controlled substance for a special use.
- (6) "SUA permit" means a special use authorization permit granted to an individual by the board.

History: CR 12-010: cr. Register October 2012 No. 682, eff. 11-1-12.

CSB 3.03 Permits generally. (1) No individual may manufacture, obtain, possess, use, administer, or dispense a controlled substance for a special use without a valid SUA permit for such purpose.

(2) An SUA permit may be issued to an individual only. Entities are not eligible to receive an SUA permit, except that an individual may be designated and authorized to receive the permit for a college or university department, research unit, or similar administrative organization unit. Students, laboratory technicians, research specialists, or chemical analysts under the designee's supervision may possess and use the substances named in the designee's permit for the authorized purposes without obtaining an individual permit.

(3) An SUA permit authorizes the holder to manufacture, obtain, possess, use, administer, or dispense the controlled substances specified in the permit and in the amounts specified in the permit. A permit holder shall use the authorized controlled substances only in the manner delineated in the SUA permit application, and as approved by the board. Any deviation from the permit's specifications and subsequent amendments shall constitute a violation of the permit, and may result in revocation or suspension of the permit as set forth in s. CSB 3.08 (2).

(4) An SUA permit is valid for one year from the date of issuance. An SUA permit shall not be extended or renewed. A new application shall be completed and a new permit shall be granted to continue authorization beyond an existing permit's expiration date.

History: CR 12-010: cr. Register October 2012 No. 682, eff. 11-1-12.

CSB 3.04 SUA permit application. (1) Every applicant for an SUA permit shall:

(a) Submit a completed application and any required checklists using forms provided by the board. A complete application shall include a detailed description of the anticipated uses for each identified controlled substance in Schedules I to V of ch. 961, Stats., including each identified controlled substance by name and schedule and the protocols for such uses.

Note: Application forms and checklists are available upon request to the board office at 1400 E. Washington Ave., P.O. Box 8935, Madison, Wisconsin 53708, or online at <http://dsps.wi.gov>, under "Professions," then "Controlled Substance Special Use Authorization."

(b) Pay the applicable permit fee of \$25 as set forth in s. 961.335, Stats. No fee for an SUA permit may be charged to an employee of a state agency or institution if the permit is necessary to perform employment functions.

(c) Provide proof that the applicant has submitted an application for registration with the federal drug enforcement administration.

(d) Provide proof of the applicant's compliance with the board's requirements for maintaining the physical security of the controlled substances identified in the application.

(e) Provide the calculations that led to the amounts requested in the application.

(f) Any individual applying for an SUA permit shall provide any other information or documentation requested by the board.

(2) In addition to sub. (1), researchers shall also provide the following:

(a) A detailed one-page description of each research protocol that involves the use of controlled substances.

(b) For research involving animals, verification of Institutional Animal Care and Use Committee approval.

(c) For research involving human subjects, verification of Institutional Review Board approval.

(3) In addition to sub. (1), humane shelters shall also provide all of the following:

(a) Estimates as to the number of animals and dosage per animal.

(b) Documentation of completion of a board-approved euthanasia by injection course by each staff member performing euthanasia.

(4) In addition to sub. (1), narcotic dog trainers shall also provide the following:

(a) Unless other documentation is required by the board, a letter from the sheriff or chief of police, in the jurisdiction where the controlled substances are stored, that includes all of the following for dog training purposes:

1. Authorizing possession of controlled substances.
2. Accepting responsibility for the narcotic dog trainer.
3. Agreeing to supervise the narcotic dog trainer's storage and use of controlled substances.

(b) Verification of membership in a board-approved national or Wisconsin police dog association for each narcotic dog trainer.

(c) For private narcotic dog trainers, an appearance before the board shall be required.

(5) In addition to sub. (1), municipal law enforcement animal control shall also provide all of the following:

(a) Unless other documentation is required by the board, a letter from the sheriff or chief of police, in the jurisdiction where the controlled substances are stored, that includes all of the following for euthanasia purposes:

1. Authorizing possession of controlled substances.
2. Accepting responsibility for the animal control officer.
3. Agreeing to supervise the animal control officer's storage and use of controlled substances.

(b) Documentation of completion of a board-approved euthanasia course by the officer performing euthanasia.

(6) In addition to sub. (1), analytical labs shall also provide all of the following:

(a) An inventory listing the total weight in grams of each controlled substance in the lab or intended for purchase for the lab.

(b) Whenever the lab purchases or otherwise adds to its inventory a new controlled substance or an additional amount of a controlled substance that was not previously authorized in a permit, an amended SUA application that includes the total weight in grams for each such new or additional substance.

(c) A detailed description of standard operating procedures relating to the use of controlled substances that includes the receipt, use, and disposition of controlled substances.

(7) The board may request an appearance before the board if additional information is required.

History: CR 12-010: cr. Register October 2012 No. 682, eff. 11-1-12.

CSB 3.045 Limited special use authorization. The board may grant a limited SUA or deny a SUA based upon consideration of public health and safety including any of the following reasons:

(1) An act constituting a violation under s. CSB 3.08 (1).

(2) Making any materially false statement or giving any materially false information in connection with an application for a SUA.

(3) Violating any federal or state statute or rule which substantially relates to the ability to manufacture, obtain, possess, use, administer, or dispense a controlled substance for a special use.

(4) An act which shows the person to be unable to safely use the SUA permit due to alcohol or other substance use.

History: CR 14-009: cr. Register July 2014 No. 703, eff. 8-1-14; correction in (title) made under s. 13.92 (4) (b) 2., Stats., Register July 2014 No. 703.

CSB 3.05 Limitations on narcotic dog trainer drugs and drug quantities. **(1)** Narcotic dog trainers shall be limited to having possession of the following drugs and quantities at any given time during the permit period:

(a) Up to 2 kilograms of marijuana. Marijuana may require periodic replacement during the permit period. Total use per year, taking into account replacement, shall be requested.

(b) Up to 30 grams of cocaine.

(c) Up to 30 grams of cocaine base, commonly known as crack cocaine.

(d) Up to 30 grams of heroin.

(e) Up to 30 grams of methamphetamine.

(2) A trainer may request, and the board may approve, with appropriate justification by the trainer, other controlled substances or different quantities of controlled substances.

History: CR 12-010: cr. Register October 2012 No. 682, eff. 11-1-12.

CSB 3.06 Amendment. **(1)** A permit shall be effective only for the individual, substances, and project specified on its

face and for additional projects which derive directly from the stated project. An individual holding a valid SUA permit may apply for an amendment to the permit by filing a written request with the board indicating the justification for the amendment and by paying a \$5 fee. The board may approve a request to amend a permit for any of the following reasons:

(a) A change to the original permit holder.

(b) The addition of new individuals to the permit who are participating in the functions for which the authorization was approved.

(c) An increase in the amount of a previously authorized controlled substance.

(d) The addition of specific controlled substances or schedules not previously authorized.

(e) The addition of further activity in accordance with s. 961.335 (5), Stats.

(2) An application for an amendment shall be submitted to the department and approved by the board prior to a permit holder operating under the terms of the amendment.

(3) Individuals applying for an amendment shall provide any other information or documentation requested by the board including information and documentation related to previous special use authorization permits.

History: CR 12-010: cr. Register October 2012 No. 682, eff. 11-1-12.

CSB 3.07 Record-keeping; records retention; disclosure. **(1)** A permit holder shall maintain updated and accurate records of all of the following:

(a) The purchase of controlled substances pursuant to the permit, including receipts.

(b) The disbursement, use, and disposition of all controlled substances authorized by the permit.

(c) The total weight in grams of each controlled substance on hand.

(d) Documentation related to any discrepancies in a controlled substance inventory and usage, and all documentation related to investigation of such discrepancies.

(2) A permit holder shall retain the records described in sub. (1) for 4 years after the expiration of the special use authorization permit.

(3) A permit holder shall provide copies of the original records upon request of the board or the department of safety and professional services, except for those that are protected from disclosure by s. 961.335 (7), Stats.

History: CR 12-010: cr. Register October 2012 No. 682, eff. 11-1-12.

CSB 3.08 Violations. **(1)** The following acts shall constitute a violation of an SUA permit:

(a) Any deviation from the permit's specifications related to controlled substances, schedules of drugs, or amounts authorized.

(b) Failure to comply with this chapter or s. 961.335, Stats.

(c) Failure to maintain physical security requirements for controlled substances as required by state and federal law.

(d) Failure to comply with board-approved euthanasia standards.

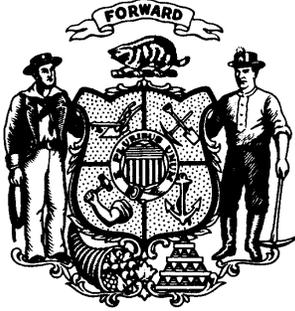
Note: The board considers the most current version of the euthanasia standards as stated in the American Veterinary Medical Association (AVMA) panel on euthanasia available at <http://www.avma.org>.

(e) Failure to notify the board of the revocation or limitation of a drug enforcement administration registration, within 3 business days of the revocation or limitation.

(2) Any violation of a special use authorization permit may, in the board's discretion, result in the suspension or revocation of the special use authorization permit.

History: CR 12-010: cr. Register October 2012 No. 682, eff. 11-1-12.

State of Wisconsin



2013 Assembly Bill 726

Date of enactment: **April 16, 2014**
Date of publication*: **April 17, 2014**

2013 WISCONSIN ACT 267

AN ACT to renumber 961.34; to amend 961.14 (4) (t); and to create 961.34 (2) and 961.38 (1n) of the statutes; relating to: providing that cannabidiol is not a tetrahydrocannabinol and dispensing cannabidiol as a treatment for a seizure disorder.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 961.14 (4) (t) of the statutes is amended to read:

961.14 (4) (t) Tetrahydrocannabinols, commonly known as "THC", in any form including tetrahydrocannabinols contained in marijuana, obtained from marijuana, or chemically synthesized, except that tetrahydrocannabinols do not include cannabidiol in a form without a psychoactive effect that is dispensed or documented as provided in s. 961.38 (1n);

SECTION 1h. 961.34 of the statutes is renumbered 961.34 (1).

SECTION 1j. 961.34 (2) of the statutes is created to read:

961.34 (2) (a) Upon the request of any physician, the controlled substances board shall aid the physician in applying for and processing an investigational drug permit under [21 USC 355](#) (i) for cannabidiol as treatment for

a seizure disorder. If the federal food and drug administration issues an investigational drug permit, the controlled substances board shall approve which pharmacies and physicians may dispense cannabidiol to patients.

(b) If cannabidiol is removed from the list of controlled substances, or if cannabidiol is determined not to be a controlled substance, under schedule I of [21 USC 812](#) (c), the controlled substances board shall approve which pharmacies and physicians may dispense cannabidiol to patients as treatment for a seizure disorder.

SECTION 2. 961.38 (1n) of the statutes is created to read:

961.38 (1n) A pharmacy or physician approved under s. 961.34 (2) (a) or (b) may dispense cannabidiol in a form without a psychoactive effect as a treatment for a seizure disorder or any physician may provide an individual with a hard copy of a letter or other official documentation stating that the individual possesses cannabidiol to treat a seizure disorder if the cannabidiol is in a form without a psychoactive effect.

* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."

From: Niehaus, Matt - DSPS
Sent: Monday, July 07, 2014 4:43 PM
To: Zillmer, Hannah - DSPS
Subject: RE: Google Analytics

CBD Page Hits from DSPS website

May 11-17: 50
May 18-24: 22
May 25-31: 35
June 1-7: 21
June 8-14: 38
June 15-21: 20
June 22-28: 11
June 29-July 5: 13
July 6-7: 4

State of Wisconsin



2013 Senate Bill 325

Date of enactment: April 23, 2014
Date of publication*: April 24, 2014

2013 WISCONSIN ACT 351

AN ACT *to repeal* 941.318, 961.14 (4) (te), (th), (tL), (tp), (tr), (tu) and (ty) and 961.14 (7) (m) and (n); *to amend* 59.54 (25g), 66.0107 (1) (bn), 961.14 (4) (intro.), 961.14 (7) (intro.), 961.41 (1) (e) (intro.), 961.41 (1) (hm) (intro.), 961.41 (1m) (e) (intro.), 961.41 (1m) (hm) (intro.), 961.41 (1r), 961.41 (3g) (d) and 961.41 (3g) (em); *to repeal and recreate* 961.14 (4) (tb) and 961.14 (7) (L); and *to create* 961.14 (4) (sm), 961.14 (4) (uv), 961.14 (4) (wa), 961.14 (4) (wb), 961.14 (4) (wk), 961.14 (4) (wL), 961.14 (4) (wm), 961.14 (4) (wn), 961.14 (4) (wo), 961.14 (4) (wp), 961.14 (4) (wq), 961.14 (4) (wr), 961.14 (4) (ws), 961.14 (4) (wv), 961.14 (4) (ww), 961.14 (4) (wx), 961.14 (4) (wy), 961.14 (4) (wz), 961.14 (4) (xa), 961.14 (4) (xb), 961.14 (7) (mk), 961.14 (7) (mL), 961.14 (7) (mm), 961.14 (7) (mn), 961.16 (3) (tb), 961.16 (3) (zt), 961.16 (8) (b), 961.18 (7) (am), 961.18 (7) (az), 961.18 (7) (em), 961.20 (2) (ax), 961.20 (2) (q), 961.20 (4) (d), 961.22 (4), 961.22 (5), 961.41 (1) (em) and 961.41 (1m) (em) of the statutes; **relating to:** controlled substances, and providing a penalty.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 59.54 (25g) of the statutes is amended to read:

59.54 (25g) POSSESSION OF A SYNTHETIC CANNABINOID. The board may enact and enforce an ordinance to prohibit the possession of any controlled substance specified in s. 961.14 (4) (tb) ~~to (ty)~~, and provide a forfeiture for a violation of the ordinance, except that any person who is charged with possession of a controlled substance specified in s. 961.14 (4) (tb) ~~to (ty)~~ following a conviction for possession of a controlled substance in this state shall not be prosecuted under this subsection. Any ordinance enacted under this subsection applies in every municipality within the county.

SECTION 2. 66.0107 (1) (bn) of the statutes is amended to read:

66.0107 (1) (bn) Enact and enforce an ordinance to prohibit the possession of a controlled substance speci-

fied in s. 961.14 (4) (tb) ~~to (ty)~~ and provide a forfeiture for a violation of the ordinance, except that any person who is charged with possession of a controlled substance specified in s. 961.14 (4) (tb) ~~to (ty)~~ following a conviction for possession of a controlled substance in this state shall not be prosecuted under this paragraph.

SECTION 3. 941.318 of the statutes is repealed.

SECTION 4. 961.14 (4) (intro.) of the statutes is amended to read:

961.14 (4) HALLUCINOGENIC SUBSTANCES. (intro.) Any material, compound, mixture or preparation which contains any quantity of any of the following hallucinogenic substances, including any of their salts, isomers, ~~precursors, analogs,~~ esters, ethers, and salts of isomers, esters, or ethers that are theoretically possible within the specific chemical designation, in any form contained in a plant, obtained from a plant, or chemically synthesized:

SECTION 5. 961.14 (4) (sm) of the statutes is created to read:

961.14 (4) (sm) Salvinorin A;

* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."

SECTION 6. 961.14 (4) (tb) of the statutes is repealed and recreated to read:

961.14 (4) (tb) Synthetic cannabinoids, including:

1. Any compound structurally derived from 3-(1-naphthoyl)indole or 1H-indol-3-yl-(1-naphthyl)methane by substitution at the nitrogen atom of the indole ring by alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or (tetrahydropyran-4-yl)methyl group, whether or not further substituted in the indole ring to any extent, whether or not substituted in the naphthyl ring to any extent. Substances specified under this subdivision include:

- a. 1-pentyl-2-methyl-3-(1-naphthoyl)indole, commonly known as JWH-007;
- b. 1-propyl-2-methyl-3-(1-naphthoyl)indole, commonly known as JWH-015;
- c. 1-pentyl-3-(1-naphthoyl)indole, commonly known as JWH-018 or AM-678;
- d. 1-hexyl-3-(1-naphthoyl)indole, commonly known as JWH-019;
- e. 1-butyl-3-(1-naphthoyl)indole, commonly known as JWH-073;
- f. 1-pentyl-3-(4-methoxy-1-naphthoyl)indole, commonly known as JWH-081;
- g. 1-pentyl-2-methyl-3-(4-methoxy-1-naphthoyl)indole, commonly known as JWH-098;
- h. 1-pentyl-3-(4-methyl-1-naphthoyl)indole, commonly known as JWH-122;
- i. 1-pentyl-3-(7-methoxy-1-naphthoyl)indole, commonly known as JWH-164;
- j. 1-[2-(4-(morpholinyl)ethyl)]-3-(1-naphthoyl)indole, commonly known as JWH-200;
- k. 1-pentyl-3-(4-ethyl-1-naphthoyl)indole, commonly known as JWH-210;
- L. 1-pentyl-3-(4-chloro-1-naphthoyl)indole, commonly known as JWH-398;
- m. 1-pentyl-3-(4-fluoro-1-naphthoyl)indole, commonly known as JWH-412;
- n. 1-[1-(N-methyl-2-piperidinyl)methyl]-3-(1-naphthoyl)indole, commonly known as AM-1220;
- o. 1-(5-fluoropentyl)-3-(1-naphthoyl)indole, commonly known as AM-2201;
- p. 1-(5-fluoropentyl)-3-(4-methyl-1-naphthoyl)indole, commonly known as MAM-2201;
- q. 1-(5-chloropentyl)-3-(1-naphthoyl)indole, commonly known as AM-2201 (5-chloropentyl);
- r. 1-(5-bromopentyl)-3-(1-naphthoyl)indole, commonly known as AM-2201 (5-bromopentyl);
- s. 1-(4-cyanobutyl)-3-(1-naphthoyl)indole, commonly known as AM-2232;
- t. (R)-(+)-[2,3-dihydro-5-methyl-3-(4-morpholinylmethyl)pyrrolo[1,2,3-de]-1,4-b

enzoxazin-6-yl]-1-naphthalenyl-methanone, commonly known as WIN 55,212-2;

2. Any compound structurally derived from 3-(1-naphthoyl)pyrrole by substitution at the nitrogen atom of the pyrrole ring by alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or (tetrahydropyran-4-yl)methyl group, whether or not further substituted in the pyrrole ring to any extent, whether or not substituted in the naphthyl ring to any extent. Substances specified under this subdivision include:

- a. 1-pentyl-5-(2-fluorophenyl)-3-(1-naphthoyl)pyrrole, commonly known as JWH-307;
- b. 1-pentyl-5-(2-methylphenyl)-3-(1-naphthoyl)pyrrole, commonly known as JWH-370;
- c. 1-pentyl-3-(1-naphthoyl)pyrrole, commonly known as JWH-030;
- d. 1-hexyl-5-phenyl-3-(1-naphthoyl)pyrrole, commonly known as JWH-147;

3. Any compound structurally derived from 3-naphthylmethylindene by substitution at the 1-position of the indene ring by alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or (tetrahydropyran-4-yl)methyl group, whether or not further substituted in the indene ring to any extent, whether or not substituted in the naphthyl ring to any extent. Substances specified under this subdivision include 1-pentyl-3-(1-naphthylmethyl)indene, commonly known as JWH-176;

4. Any compound structurally derived from 3-phenylacetylindole by substitution at the nitrogen atom of the indole ring with alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or (tetrahydropyran-4-yl)methyl group, whether or not further substituted in the indole ring to any extent, whether or not substituted in the phenyl ring to any extent. Substances specified under this subdivision include:

- a. 1-pentyl-3-(4-methoxyphenylacetyl)indole, commonly known as JWH-201;
- b. 1-pentyl-3-(3-methoxyphenylacetyl)indole, commonly known as JWH-302;
- c. 1-pentyl-3-(2-methoxyphenylacetyl)indole, commonly known as JWH-250;
- d. 1-pentyl-3-(2-chlorophenylacetyl)indole, commonly known as JWH-203;
- e. 1-pentyl-3-(3-chlorophenylacetyl)indole, or 3-chloro isomer of JWH-203;

f. 1-pentyl-3-(4-chlorophenylacetyl)indole, or 4-chloro isomer of JWH-203;

g. 1-pentyl-3-(2-methylphenylacetyl)indole, commonly known as JWH-251;

h. 1-(2-cyclohexylethyl)-3-(2-methoxyphenylacetyl)indole, commonly known as RCS-8;

i. 1-[1-(N-methyl-2-piperidinyl)methyl]-3-(2-methoxyphenylacetyl)indole, commonly known as cannabipiperidiethanone;

5. Any compound structurally derived from 2-(3-hydroxycyclohexyl)phenol by substitution at the 5-position of the phenolic ring by alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or (tetrahydropyran-4-yl)methyl group, whether or not substituted in the cyclohexyl ring to any extent. Substances specified under this subdivision include:

a. 2-[(1R,3S)-3-hydroxycyclohexyl]-5-(2-methyloctan-2-yl)phenol, commonly known as CP 47,497;

b. 2-[(1R,3S)-3-hydroxycyclohexyl]-5-(2-methylnonan-2-yl)phenol, commonly known as CP 47,497 C8 homologue, or cannabicyclohexanol;

6. Any compound structurally derived from 3-(benzoyl)indole by substitution at the nitrogen atom of the indole ring by alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or (tetrahydropyran-4-yl)methyl group, whether or not further substituted in the indole ring to any extent and whether or not substituted in the phenyl ring to any extent. Substances specified under this subdivision include:

a. 1-pentyl-3-(2-iodobenzoyl)indole, commonly known as AM-679;

b. 1-(5-fluoropentyl)-3-(2-iodobenzoyl)indole, commonly known as AM-694;

c. 1-pentyl-3-(4-methoxybenzoyl)indole, commonly known as RCS-4;

d. 1-butyl-3-(4-methoxybenzoyl)indole, commonly known as RCS-4-C4 homologue;

e. 1-pentyl-3-(2-methoxybenzoyl)indole, commonly known as RCS-4 2-methoxy isomer;

f. 1-butyl-3-(2-methoxybenzoyl)indole, a C4 homologue, 2-methoxy isomer of RCS-4;

g. 1-[2-(4-(morpholinyl)ethyl)-2-methyl-3-(4-methoxybenzoyl)indole, commonly known as pravadoline, or WIN 48,098;

h. 1-[2-(4-(morpholinyl)ethyl)-2-methyl-3-(4-methoxybenzoyl)-6-iodoindole, commonly known as 6-iodopravadoline, or AM-630;

i. 1-[1-(N-methyl-2-piperidinyl)methyl]-3-(2-iodo-5-nitrobenzoyl)indole, commonly known as AM-1241;

j. 1-[1-(N-methyl-2-piperidinyl)methyl]-3-(2-iodobenzoyl)indole, commonly known as AM-2233;

7. Any compound structurally derived from 3-adamantoylindole by substitution at the nitrogen atom of the indole ring with alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or (tetrahydropyran-4-yl)methyl group, whether or not further substituted in the indole ring to any extent, whether or not substituted in the adamantyl ring to any extent. Substances specified under this subdivision include:

a. 1-[1-(N-methyl-2-piperidinyl)methyl]-3-(1-adamantoyl)indole, commonly known as AM-1248;

b. 1-pentyl-3-(1-adamantoyl)indole, commonly known as AB-001;

8. Any compound structurally derived from 3-(cyclopropyl)indole by substitution at the nitrogen atom of the indole ring with alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or (tetrahydropyran-4-yl)methyl group, whether or not further substituted in the indole ring to any extent, whether or not substituted in the cyclopropyl ring to any extent. Substances specified under this subdivision include:

a. 1-pentyl-3-(2,2,3,3-tetramethylcyclopropyl)indole, commonly known as UR-144;

b. 1-(5-chloropentyl)-3-(2,2,3,3-tetramethylcyclopropyl)indole, commonly known as 5Cl-UR-144;

c. 1-(5-fluoropentyl)-3-(2,2,3,3-tetramethylcyclopropyl)indole, commonly known as XLR-11;

d. 1-[2-(4-morpholinyl)ethyl]-3-(2,2,3,3-tetramethylcyclopropyl)indole, commonly known as A-796,260;

e. 1-[(tetrahydropyran-4-yl)methyl]-3-(2,2,3,3-tetramethylcyclopropyl)indole, commonly known as A-834,735;

9. Any compound structurally derived from N-adamantyl-1H-indole-3-carboxamide by substitution at the nitrogen atom of the indole ring with alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or (tetrahydropyran-4-yl)methyl group, whether or not further substituted in the indole ring to any extent, whether or not sub-

stituted in the adamantyl ring to any extent. Substances specified under this subdivision include:

a. N-(1-adamantyl)-1-pentyl-1H-indole-3-carboxamide, commonly known as 2NE1;

b. N-(1-adamantyl)-1-(5-fluoropentyl)-1H-indole-3-carboxamide, commonly known as STS-135;

10. Any compound structurally derived from N-adamantyl-1H-indazole-3-carboxamide by substitution at either nitrogen atom of the indazole ring with alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or (tetrahydropyran-4-yl)methyl group, whether or not further substituted in the indazole ring to any extent, whether or not substituted in the adamantyl ring to any extent. Substances specified under this subdivision include:

a. 1-pentyl-N-(1-adamantyl)-1H-indazole-3-carboxamide, commonly known as AKB48;

b. 1-(5-fluoropentyl)-N-(1-adamantyl)-1H-indazole-3-carboxamide, commonly known as 5F-AKB48.

11. Any compound structurally derived from N-naphthyl-1H-indazole-3-carboxamide by substitution at either nitrogen atom of the indazole ring with alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or (tetrahydropyran-4-yl)methyl group, whether or not further substituted in the indazole ring to any extent, whether or not substituted in the naphthyl ring to any extent.

12. [1,1'-biphenyl]-3-yl-carbamic acid, cyclohexyl ester, commonly known as URB-602;

13. [(6S,6aR,9R,10aR)-9-hydroxy-6-methyl-3-[(2R)-5-phenylpentan-2-yl]oxy-5,6,6a,7,8,9,10,10a-octahydrophenanthridin-1-yl] acetate, commonly known as CP 50,556-1;

14. (6aR,10aR)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol, commonly known as HU-210;

15. (6aS,10aS)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol, commonly known as HU-211;

16. 3-hydroxy-2-[(1R,6R)-3-methyl-6-(1-methylethyl)-2-cyclohexen-1-yl]-5-pentyl-2,5-cyclohexadiene-1,4-dione, commonly known as HU-331;

17. ((6aR,10aR)-6,6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-9-yl)methanol, commonly known as JWH-051;

18. (6aR,10aR)-3-(1,1-Dimethylbutyl)-6a,7,10,10a-tetrahydro-6,6,9-trimethyl-6H-dibenzo[b,d]pyran, commonly known as JWH-133;

19. (6aR,10aR)-1-methoxy-6,6,9-trimethyl-3-[(2R)-1,1,2-trimethylbutyl]-6a,7,10,10a-tetrahydrobenzo[c]chromene, commonly known as JWH-359;

20. Naphthalen-1-yl-(4-pentyloxynaphthalen-1-yl)methanone, commonly known as CB-13;

21. N-cyclopropyl-11-(3-hydroxy-5-pentylphenoxy)-undecamide, commonly known as CB-25;

22. N-cyclopropyl-11-(2-hexyl-5-hydroxyphenoxy)-undecamide, commonly known as CB-52;

23. N-(benzo[1,3]dioxol-5-ylmethyl)-7-methoxy-2-oxo-8-pentyl-1,2-dihydroquinoline-3-carboxamide, commonly known as JTE-907;

24. N-[3-(2-methoxyethyl)-4,5-dimethyl-1,3-thiazol-2-ylidene]-2,2,3,3-tetramethylcyclopropane-1-carboxamide, commonly known as A-836,339;

25. Anthracen-9-yl{2-methyl-1-[2-(morpholin-4-yl)ethyl]-1H-indol-3-yl}methanone, commonly known as WIN 56,098;

26. 6-methyl-2-[(4-methylphenyl)amino]-4H-3,1-benzoxazin-4-one, commonly known as URB-754;

27. [3-(3-carbamoylphenyl)phenyl] N-cyclohexylcarbamate, commonly known as URB-597;

28. (-)-(R)-3-(2-Hydroxymethylindanyl-4-oxy)phenyl-4,4,4-trifluorobutyl-1-sulfonate, commonly known as BAY 38-7271.

29. Any compound structurally derived from 1H-indole-3-carboxylic acid quinolinyl ester by substitution at the nitrogen atom of the indole ring by alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or (tetrahydropyran-4-yl)methyl group, whether or not further substituted in the indole ring to any extent, whether or not substituted in the quinoline ring to any extent. Substances specified under this subdivision include:

a. 1-pentyl-1H-indole-3-carboxylic acid 8-quinolinyl ester, commonly known as PB-22;

b. 1-(5-fluoropentyl)-1H-indole-3-carboxylic acid 8-quinolinyl ester, commonly known as 5F-PB-22;

c. 1-(cyclohexylmethyl)-1H-indole-3-carboxylic acid 8-quinolinyl ester, commonly known as BB-22.

30. Any compound structurally derived from N-naphthyl-1H-indole-3-carboxamide by substitution at the nitrogen atom of the indole ring with alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or (tetrahydropyran-4-yl)methyl group, whether or not further substituted in the indole ring to any extent, whether or not sub-

stituted in the naphthyl ring to any extent. Substances specified under this subdivision include:

a. 1-pentyl-N-(1-naphthyl)-1H-indole-3-carboxamide, commonly known as NNEI or MN-24;

b. 1-(5-fluoropentyl)-N-(1-naphthyl)-1H-indole-3-carboxamide, commonly known as 5F-NNEI or 5F-MN-24.

31. Any compound structurally derived from 3-(pyridinoyl)indole by substitution at the nitrogen atom of the indole ring by alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or (tetrahydropyran-4-yl)methyl group, whether or not further substituted in the indole ring to any extent, whether or not substituted in the pyridine ring to any extent. Substances specified under this subdivision include:

a. 1-pentyl-3-(3-pyridinoyl)indole;

b. 1-(5-fluoropentyl)-3-(3-pyridinoyl)indole.

SECTION 7. 961.14 (4) (te), (th), (tL), (tp), (tr), (tu) and (ty) of the statutes are repealed.

SECTION 8. 961.14 (4) (uv) of the statutes is created to read:

961.14 (4) (uv) 2-(3-methoxyphenyl)-2-(ethylamino)cyclohexanone, commonly known as methoxetamine.

SECTION 9. 961.14 (4) (wa) of the statutes is created to read:

961.14 (4) (wa) 4-iodo-2,5-dimethoxyamphetamine, commonly known as DOI.

SECTION 10. 961.14 (4) (wb) of the statutes is created to read:

961.14 (4) (wb) 4-chloro-2,5-dimethoxyamphetamine, commonly known as DOC.

SECTION 11. 961.14 (4) (wk) of the statutes is created to read:

961.14 (4) (wk) 2,5-dimethoxy-4-ethylphenethylamine, commonly known as 2C-E.

SECTION 12. 961.14 (4) (wL) of the statutes is created to read:

961.14 (4) (wL) 2,5-dimethoxy-4-methylphenethylamine, commonly known as 2C-D.

SECTION 13. 961.14 (4) (wm) of the statutes is created to read:

961.14 (4) (wm) 2,5-dimethoxy-4-chlorophenethylamine, commonly known as 2C-C.

SECTION 14. 961.14 (4) (wn) of the statutes is created to read:

961.14 (4) (wn) 2,5-dimethoxy-4-ethylthiophenethylamine, commonly known as 2C-T-2.

SECTION 15. 961.14 (4) (wo) of the statutes is created to read:

961.14 (4) (wo) 2,5-dimethoxy-4-isopropylthiophenethylamine, commonly known as 2C-T-4.

SECTION 16. 961.14 (4) (wp) of the statutes is created to read:

961.14 (4) (wp) 2,5-dimethoxyphenethylamine, commonly known as 2C-H.

SECTION 17. 961.14 (4) (wq) of the statutes is created to read:

961.14 (4) (wq) 2,5-dimethoxy-4-nitrophenethylamine, commonly known as 2C-N.

SECTION 18. 961.14 (4) (wr) of the statutes is created to read:

961.14 (4) (wr) 2,5-dimethoxy-4-(n)-propylphenethylamine, commonly known as 2C-P.

SECTION 19. 961.14 (4) (ws) of the statutes is created to read:

961.14 (4) (ws) Any compound structurally derived from N-benzyl-2-(2,5-dimethoxyphenyl)ethanamine by substitution at the nitrogen atom, or on either ring, with alkyl, alkoxy, alkylendioxy, haloalkyl, hydroxyl, halide or nitro substituents, or by any combination of these modifications. Substances specified under this paragraph include:

1. 2-(4-iodo-2,5-dimethoxyphenyl)-N-[(2-methoxyphenyl)methyl]ethanamine, commonly known as 25I-NBOMe.

2. 2-(4-chloro-2,5-dimethoxyphenyl)-N-[(2-methoxyphenyl)methyl]ethanamine, commonly known as 25C-NBOMe.

3. 2-(4-bromo-2,5-dimethoxyphenyl)-N-[(2-methoxyphenyl)methyl]ethanamine, commonly known as 25B-NBOMe.

4. 2-(4-ethyl-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine, commonly known as 25E-NBOMe.

SECTION 20. 961.14 (4) (wv) of the statutes is created to read:

961.14 (4) (wv) N,N-diallyl-5-methoxytryptamine, commonly known as 5-MeO-DALT.

SECTION 21. 961.14 (4) (ww) of the statutes is created to read:

961.14 (4) (ww) 5-(2-aminopropyl)benzofuran, commonly known as 5-APB.

SECTION 22. 961.14 (4) (wx) of the statutes is created to read:

961.14 (4) (wx) 6-(2-aminopropyl)benzofuran, commonly known as 6-APB.

SECTION 23. 961.14 (4) (wy) of the statutes is created to read:

961.14 (4) (wy) 5-(2-aminopropyl)-2,3-dihydrobenzofuran, commonly known as 5-APDB.

SECTION 24. 961.14 (4) (wz) of the statutes is created to read:

961.14 (4) (wz) 6-(2-aminopropyl)-2,3-dihydrobenzofuran, commonly known as 6-APDB.

SECTION 25. 961.14 (4) (xa) of the statutes is created to read:

961.14 (4) (xa) 5-iodo-2-aminoindane, commonly known as 5-IAI.

SECTION 26. 961.14 (4) (xb) of the statutes is created to read:

961.14 (4) (xb) 4-methoxymethamphetamine, commonly known as PMMA.

SECTION 27. 961.14 (7) (intro.) of the statutes is amended to read:

961.14 (7) **STIMULANTS.** (intro.) Any material, compound, mixture or preparation which contains any quantity of any of the following substances having a stimulant effect on the central nervous system, including any of their precursors, analogs, salts, isomers and salts of isomers that are theoretically possible within the specific chemical designation:

SECTION 28. 961.14 (7) (L) of the statutes is repealed and recreated to read:

961.14 (7) (L) *Substituted cathinones.* Any compound, except bupropion or compounds scheduled elsewhere in this chapter, that is structurally derived from 2-amino-propan-1-one by substitution at the 1-position with either phenyl, naphthyl, or thiophene ring systems, whether or not the compound is further modified in any of the following ways: by substitution in the ring system to any extent with alkyl, alkoxy, alkylendioxy, haloalkyl, hydroxyl, or halide substituents, whether or not further substituted in the ring system by one or more other univalent substituents; by substitution at the 3-position with an acyclic alkyl substituent; by substitution at the 2-amino nitrogen atom with alkyl, dialkyl, benzyl, or methoxybenzyl groups; by inclusion of the 2-amino nitrogen atom in a cyclic structure; or by any combination of these modifications. Substances specified under this subdivision include:

1. Methcathinone.
2. Methylenedioxypropylpyrovalerone, commonly known as MDPV.
3. 4-methylmethcathinone, commonly known as mephedrone or 4-MMC.
4. 4-methylethcathinone, commonly known as 4-MEC.
5. 4-methoxy-alpha-pyrrolidinopropiophenone, commonly known as MOPPP.
6. 3,4-methylenedioxy-alpha-pyrrolidinopropiophenone, commonly known as MDPPP.
7. Alpha-pyrrolidinovalerophenone, commonly known as alpha-PVP.
8. 2-fluoromethcathinone, commonly known as 2-FMC.
9. 3-fluoromethcathinone, commonly known as 3-FMC.
10. 4-fluoromethcathinone, commonly known as 4-FMC or flephedrone.
11. 3,4-methylenedioxy-methcathinone, commonly known as methylone or bk-MDMA.

12. Naphthylpyrovalerone, commonly known as naphyrone.

13. 4-methyl-alpha-pyrrolidinobutiophenone, commonly known as MPBP.

14. 4-methoxymethcathinone, commonly known as methedrone or bk-PMMA.

15. Ethcathinone.

16. 3,4-methylenedioxyethcathinone, commonly known as ethylone or bk-MDEA.

17. beta-Keto-N-methylbenzodioxolylbutanamine, commonly known as butylone or bk-MBDB.

18. N,N-dimethylcathinone, commonly known as metamfepramone.

19. Alpha-pyrrolidinopropiophenone, commonly known as alpha-PPP.

20. 3-methoxymethcathinone, commonly known as 3-MMC.

21. 4-ethylmethcathinone, commonly known as 4-EMC.

22. 3,4-dimethylmethcathinone, commonly known as 3,4-DMMC.

23. beta-Keto-N-methylbenzodioxolylpentanamine, commonly known as pentylone or bk-MBDP.

24. beta-Keto-ethylbenzodioxolylbutanamine, commonly known as eutylone or bk-EBDB.

25. 4-bromomethcathinone, commonly known as 4-BMC.

26. Alpha-methylamino-butyrophenone, commonly known as buphedrone or MABP.

27. 3,4-methylenedioxy-alpha-pyrrolidinobutiophenone, commonly known as MDPBP.

28. 4-methyl-alpha-pyrrolidinohexiophenone, commonly known as MPHP.

29. N,N-dimethyl-3,4-methylenedioxy-cathinone.

30. N,N-diethyl-3,4-methylenedioxy-cathinone.

31. Alpha-methylamino-valerophenone, commonly known as pentedrone.

SECTION 29. 961.14 (7) (m) and (n) of the statutes are repealed.

SECTION 30. 961.14 (7) (mk) of the statutes is created to read:

961.14 (7) (mk) Mitragynine.

SECTION 31. 961.14 (7) (mL) of the statutes is created to read:

961.14 (7) (mL) 7-hydroxymitragynine.

SECTION 32. 961.14 (7) (mm) of the statutes is created to read:

961.14 (7) (mm) 5,6-methylenedioxy-2-aminoindane, commonly known as MDAI.

SECTION 33. 961.14 (7) (mn) of the statutes is created to read:

961.14 (7) (mn) Benzothiophenylcyclohexylpiperidine, commonly known as BTCP.

SECTION 34. 961.16 (3) (tb) of the statutes is created to read:

961.16 (3) (tb) Oripavine.

SECTION 35. 961.16 (3) (zt) of the statutes is created to read:

961.16 (3) (zt) Tapentadol.

SECTION 36. 961.16 (8) (b) of the statutes is created to read:

961.16 (8) (b) An immediate precursor to fentanyl, including 4-anilino-N-phenethyl-4-piperidine, commonly known as ANPP.

SECTION 37. 961.18 (7) (am) of the statutes is created to read:

961.18 (7) (am) 19-Nor-4,9(10)-androstadiene-dione;

SECTION 38. 961.18 (7) (az) of the statutes is created to read:

961.18 (7) (az) Boldione;

SECTION 39. 961.18 (7) (em) of the statutes is created to read:

961.18 (7) (em) Desoxymethyltestosterone;

SECTION 40. 961.20 (2) (ax) of the statutes is created to read:

961.20 (2) (ax) Carisoprodol;

SECTION 41. 961.20 (2) (q) of the statutes is created to read:

961.20 (2) (q) Zopiclone.

SECTION 42. 961.20 (4) (d) of the statutes is created to read:

961.20 (4) (d) Lorcaseerin, including any of its isomers and salts of isomers.

SECTION 43. 961.22 (4) of the statutes is created to read:

961.22 (4) EZOGABINE. Ezogabine or any of its salts, isomers, or salts of isomers.

SECTION 44. 961.22 (5) of the statutes is created to read:

961.22 (5) PREGABALIN. Pregabalin or any of its salts, isomers, or salts of isomers.

SECTION 45. 961.41 (1) (e) (intro.) of the statutes is amended to read:

961.41 (1) (e) *Phencyclidine, amphetamine, methamphetamine, methcathinone, cathinone, methylenedioxypropylvalerone, and 4-methylmethcathinone, N-benzylpiperazine, and a substance specified in s. 961.14 (7) (L).* (intro.) If the person violates this subsection with respect to phencyclidine, amphetamine, methamphetamine, methcathinone, cathinone, methylenedioxypropylvalerone, or 4-methylmethcathinone, N-benzylpiperazine, a substance specified in s. 961.14 (7) (L), or a controlled substance analog of phencyclidine, amphetamine, methamphetamine, methcathinone, cathinone, methylenedioxypropylvalerone, or 4-methylmethcathinone, N-benzylpiperazine, or a substance specified in s. 961.14 (7) (L), and the amount manufactured, distributed, or delivered is:

SECTION 46. 961.41 (1) (em) of the statutes is created to read:

961.41 (1) (em) *Synthetic cannabinoids.* If a person violates this subsection with respect to a controlled substance specified in s. 961.14 (4) (tb), or a controlled substance analog of a controlled substance specified in s. 961.14 (4) (tb), and the amount manufactured, distributed, or delivered is:

1. Two hundred grams or less, the person is guilty of a Class I felony.

2. More than 200 grams but not more than 1,000 grams, the person is guilty of a Class H felony.

3. More than 1,000 grams but not more than 2,500 grams, the person is guilty of a Class G felony.

4. More than 2,500 grams but not more than 10,000 grams, the person is guilty of a Class F felony.

5. More than 10,000 grams, the person is guilty of a Class E felony.

SECTION 47. 961.41 (1) (hm) (intro.) of the statutes is amended to read:

961.41 (1) (hm) *Certain other schedule I controlled substances and ketamine.* (intro.) If the person violates this subsection with respect to gamma-hydroxybutyric acid, gamma-butyrolactone, 1,4-butanediol, 3,4-methylenedioxyamphetamine, 4-bromo-2,5-dimethoxy-beta-phenylethylamine, 4-methylthioamphetamine, ketamine, a substance specified in s. 961.14 (4) (a) to (h), (m) to (q), (sm), or (u) to (xb), or a controlled substance analog of gamma-hydroxybutyric acid, gamma-butyrolactone, 1,4-butanediol, 3,4-methylenedioxyamphetamine, 4-bromo-2,5-dimethoxy-beta-phenylethylamine, or 4-methylthioamphetamine, ketamine, or a substance specified in s. 961.14 (4) (a) to (h), (m) to (q), (sm), or (u) to (xb), and the amount manufactured, distributed, or delivered is:

SECTION 48. 961.41 (1m) (e) (intro.) of the statutes is amended to read:

961.41 (1m) (e) *Phencyclidine, amphetamine, methamphetamine, methcathinone, cathinone, methylenedioxypropylvalerone, and 4-methylmethcathinone, N-benzylpiperazine, and a substance specified in s. 961.14 (7) (L).* (intro.) If a person violates this subsection with respect to phencyclidine, amphetamine, methamphetamine, methcathinone, cathinone, methylenedioxypropylvalerone, or 4-methylmethcathinone, N-benzylpiperazine, a substance specified in s. 961.14 (7) (L), or a controlled substance analog of phencyclidine, amphetamine, methamphetamine, methcathinone, cathinone, methylenedioxypropylvalerone, or 4-methylmethcathinone, N-benzylpiperazine, or a substance specified in s. 961.14 (7) (L), and the amount possessed, with intent to manufacture, distribute, or deliver, is:

SECTION 49. 961.41 (1m) (em) of the statutes is created to read:

961.41 (1m) (em) *Synthetic cannabinoids.* If a person violates this subsection with respect to a controlled

substance specified in s. 961.14 (4) (tb), or a controlled substance analog of a controlled substance specified in s. 961.14 (4) (tb), and the amount possessed, with intent to manufacture, distribute, or deliver, is:

1. Two hundred grams or less, the person is guilty of a Class I felony.
2. More than 200 grams but not more than 1,000 grams, the person is guilty of a Class H felony.
3. More than 1,000 grams but not more than 2,500 grams, the person is guilty of a Class G felony.
4. More than 2,500 grams but not more than 10,000 grams, the person is guilty of a Class F felony.
5. More than 10,000 grams, the person is guilty of a Class E felony.

SECTION 50. 961.41 (1m) (hm) (intro.) of the statutes is amended to read:

961.41 (1m) (hm) *Certain other schedule I controlled substances and ketamine.* (intro.) If the person violates this subsection with respect to gamma-hydroxybutyric acid, gamma-butyrolactone, 1,4-butanediol, 3,4-methylenedioxymethamphetamine, 4-bromo-2,5-dimethoxy-beta-phenylethylamine, 4-methylthioamphetamine, ketamine, a substance specified in s. 961.14 (4) (a) to (h), (m) to (q), (sm), or (u) to (xb), or a controlled substance analog of gamma-hydroxybutyric acid, gamma-butyrolactone, 1,4-butanediol, 3,4-methylenedioxymethamphetamine, 4-bromo-2,5-dimethoxy-beta-phenylethylamine, or 4-methylthioamphetamine, ketamine, or a substance specified in s. 961.14 (4) (a) to (h), (m) to (q), (sm), or (u) to (xb) is subject to the following penalties if the amount possessed, with intent to manufacture, distribute, or deliver is:

SECTION 51. 961.41 (1r) of the statutes is amended to read:

961.41 (1r) DETERMINING WEIGHT OF SUBSTANCE. In determining amounts under s. 961.49 (2) (b), 1999 stats., and subs. (1) and (1m), an amount includes the weight of cocaine, cocaine base, heroin, phencyclidine, lysergic acid diethylamide, psilocin, psilocybin, amphetamine, methamphetamine, ~~methcathinone~~ or tetrahydrocannabinols, synthetic cannabinoids or substituted cathinones, or any controlled substance analog of any of these substances together with any compound, mixture, diluent, plant material or other substance mixed or combined with the controlled substance or controlled substance analog. In addition, in determining amounts under subs. (1) (h) and (1m) (h), the amount of tetrahydrocannabinols

means anything included under s. 961.14 (4) (t) and includes the weight of any marijuana.

SECTION 52. 961.41 (3g) (d) of the statutes is amended to read:

961.41 (3g) (d) *Certain hallucinogenic and stimulant drugs.* If a person possesses or attempts to possess lysergic acid diethylamide, phencyclidine, amphetamine, 3,4-methylenedioxymethamphetamine, methcathinone, cathinone, methylenedioxypropylone, 4-methylmethcathinone, N-benzylpiperazine, a substance specified in s. 961.14 (4) (a) to (h), (m) to (q), (sm), (u) to (xb), or (7) (L), psilocin, or psilocybin, or a controlled substance analog of lysergic acid diethylamide, phencyclidine, amphetamine, 3,4-methylenedioxymethamphetamine, methcathinone, cathinone, methylenedioxypropylone, 4-methylmethcathinone, N-benzylpiperazine, a substance specified in s. 961.14 (4) (a) to (h), (m) to (q), (sm), (u) to (xb), or (7) (L), psilocin, or psilocybin, the person may be fined not more than \$5,000 or imprisoned for not more than one year in the county jail or both upon a first conviction and is guilty of a Class I felony for a 2nd or subsequent offense. For purposes of this paragraph, an offense is considered a 2nd or subsequent offense if, prior to the offender's conviction of the offense, the offender has at any time been convicted of any felony or misdemeanor under this chapter or under any statute of the United States or of any state relating to controlled substances, controlled substance analogs, narcotic drugs, marijuana, or depressant, stimulant, or hallucinogenic drugs.

SECTION 53. 961.41 (3g) (em) of the statutes is amended to read:

961.41 (3g) (em) *Synthetic cannabinoids.* If a person possesses or attempts to possess a controlled substance specified in s. 961.14 (4) (tb) ~~to (ty)~~, or a controlled substance analog of a controlled substance specified in s. 961.14 (4) (tb) ~~to (ty)~~, the person may be fined not more than \$1,000 or imprisoned for not more than 6 months or both upon a first conviction and is guilty of a Class I felony for a 2nd or subsequent offense. For purposes of this paragraph, an offense is considered a 2nd or subsequent offense if, prior to the offender's conviction of the offense, the offender has at any time been convicted of any felony or misdemeanor under this chapter or under any statute of the United States or of any state relating to controlled substances, controlled substance analogs, narcotic drugs, marijuana, or depressant, stimulant, or hallucinogenic drugs.



STATE OF WISCONSIN
DEPARTMENT OF JUSTICE

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July 29, 2014

Dan Williams
Controlled Substance Board Executive Director
Department of Safety and Professional Services
P.O. Box 8935
Madison, Wisconsin 53708-8935

Re: Agenda item for August 12th Controlled Substance Board Meeting

Dear: Mr. Williams,

I would like to request addition of an agenda item for the August 12th Board Meeting regarding a proposed change to the Controlled Substance Board Administrative Code, Chapter CSB 3 Special Use Authorization. The proposed change would permit the Wisconsin State Crime Laboratory to purchase analytical standards with notification to the Controlled Substance Board instead of prior approval.

The publication of 2013 Wisconsin Act 351 in April 2014 added many new controlled substances and their structural classes to Chapter 961 of the Wisconsin State Statute. The Wisconsin State Crime Laboratory recently has seen several of these new compounds which require the purchase of analytical standards for complete identification. Analytical standards used for identification purposes are purchased in milligram quantities and are often single-use standards. The process of ordering standards, in itself, can take several weeks which is further delayed by the requirement to get prior approval from the Controlled Substances Board per current Wisconsin Administrative Code CSB 3.04 (6)(b) and CSB 3.06 (2). Due to fiscal responsibility, we cannot speculate as to which possible new substances we might encounter and submit an amendment covering all these compounds. Because of the nature of business at the Wisconsin State Crime Laboratory and the need for operation in a timely manner, the Crime Laboratory requests an addition of paragraph (d) to the administrative code CSB 3.04 (6) as follows:

(d) For any Crime Laboratory operating under the Wisconsin Department of Justice, the Crime Laboratory may purchase or add a controlled substance not previously authorized in a permit with immediate notification to the Controlled Substances Board and completion of an amended SUA application within 30 days of the purchase or addition.

This would allow the Crime Laboratories to operate within their mission statement while also notifying the Controlled Substances Board.

Sincerely,

Sandra Koresch
Wisconsin State Crime Laboratory Bureau
Controlled Substances Technical Unit Leader