

ASSEMBLY LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2957

STATE OF NEW JERSEY

DATED: JUNE 9, 1997

The Assembly Law and Public Safety Committee reports favorably Assembly Bill No. 2957.

Assembly Bill No. 2957 revises the gradation schemes pertaining to violations of the controlled dangerous substance (CDS) law involving methamphetamine ("speed") and marijuana to increase the penalties imposed on those who deal in large quantities of these substances. As revised, the gradation scheme mirrors federal law.

Under the bill, a person convicted of manufacturing, distributing or dispensing the CDS methamphetamine, including adulterants or dilutants, in an amount:

- a. equal to or exceeding five ounces commits a first-degree crime;
- b. equal to or exceeding one-half ounce, but less than five ounces, commits a second-degree crime; and
- c. less than one-half ounce commits a third-degree crime.

The bill's revised gradation scheme for convictions involving the CDS marijuana is expressed in terms of weight, as under current law, as well as in terms of the number of plants, without regard to weight. A conviction involving an amount, including adulterants and dilutants, of marijuana:

- a. equal to or exceeding 25 pounds, or exceeding 50 plants, is a first-degree crime;
- b. equal to or exceeding five pounds, but less than 25 pounds, or equal to or exceeding 10 plants, but fewer than 50 plants, is a second-degree crime;
- c. equal to or exceeding one ounce, but less than five pounds, is a third-degree crime; and
- d. less than one ounce is a fourth-degree crime.

The provisions pertaining to methamphetamine have been expanded by the bill to apply to phenyl-2-propanone (P2P), the immediate precursor to methamphetamine.

Finally, the bill expands the list of controlled dangerous substances for which it is illegal to knowingly operate a manufacturing facility to include marijuana.