A BILL FOR AN ACT

To amend sections 1121 and 1124 of title 11 of the Code of the Federated States of Micronesia, as amended, by adding new designated substances to sections as required under the 1971 Convention on Psychotropic Substances; and for other purposes.

BE IT ENACTED BY THE CONGRESS OF THE FEDERATED STATES OF MICRONESIA:

Section 1. Section 1121 of title 11 of the Code of the Federated States of Micronesia, as amended, is hereby amended to read as follows:

“Section 1121 Schedule II - Designated. The controlled substances listed in this section are included in schedule II:

(1) any of the following substances except those narcotic drugs listed in other schedules, whether produced directly or indirectly by extraction from substances of vegetable origin, or independently by means of chemical synthesis, or by combination of extraction and chemical synthesis:

(a) opium and opiate, and any salt, compound, derivative, or preparation of opium or opiate;

(b) any salt, compound, isomers, derivative, or preparation thereof which is chemically equivalent or identical with any of the substances referred to in paragraph (a) of this subsection, but not including the isoquinoline alkaloids of opium;

(c) opium poppy and poppy straw;
(d) coca leaves and any salt, compound, derivative, or preparation of coca leaves, and any salt, compound, derivative, or preparation thereof which is chemically equivalent or identical with any of these substances, but not including decocainized coca leaves or extractions which do not include cocaine or ecgonine.

(2) any of the following opiates, including their immediate isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, unless specifically excepted, whenever the existence of such isomers, esters, ethers, and salts is possible within the specific chemical designation:

(a) alphaprodine,
(b) anileridine,
(c) apomorphine,
(d) bezitramide,
(e) dihydrocodeine,
(f) diphenoxylate,
(g) fentanyl,
(h) isomethadone,
(i) levomethorphan,
(j) levorphanol,
(k) metazocine,
(l) methadone,
(m) methadone, intermediate, 4-cyano-2-
dimethylamino-4, 4-diphenyl butane,

(n) methaqualone,

(o) moramide, intermediate, 2-methyl-3-
morpholino-1, 1-diphenyl-propane-carboxylic acid,

(p) pethidine,

(q) pethidine, intermediate, A, 4-cyano-1-methyl-
    4-phenylpiperidine,

(r) pethidine, intermediate, B, ethyl-4-
    phenylpiperidine; 4-carboxylate,

(s) pethidine, intermediate, C, 1-methyl-4-
    phenylpiperidine-4-carboxylic acid,

(t) phenazocine,

(u) piminodine,

(v) racemethorphan, and

(w) racemorphan;

(3) any material, compound, mixture, or preparation
which contains any quantity of the following substances
having a potential for abuse associated with a stimulant
effect on the central nervous system:

(a) amphetamine, its salts, optical isomers, and
    salts of its optical isomers;

(b) any substance which contains any quantity of
    methamphetamine, including its salts, isomers, and salts
    of isomers;

(c) any material, compound, mixture, or
preparation which contains any quantity of the following substances having a potential for abuse associated with a stimulant effect on the central nervous system:

(i) phenmetrazine and its salts;
(ii) methylphenidate;
(iii) gamma-hydroxybutyric acid.”

Section 2. Section 1125 of title 11 of the Code of the Federated States of Micronesia, as amended, is hereby amended to read as follows:

"Section 1125 Schedule IV - Designated.

The controlled substances listed in this section are included in schedule IV:

(1) any material, compound, mixture, or preparation which contains any quantity of the following substances or salts thereof having a potential for abuse associated with a depressant effect on the central nervous system:

(a) barbital,
(b) benzodiazepines,
(c) chloral betaine,
(d) chloral hydrate,
(e) diethylpropion,
(f) ethchlorvynol,
(g) ethinamate,
(h) fenfluramine,
(i) methohexital,
(j) meprobamate,
(k) methylphenobarbital,
(l) paraldehyde,
(m) petrichloral,
(n) phenobarbital,
(o) tramadol; and
(p) zolpidem.

(2) The director may except by rule any compound, mixture, or preparation containing any depressant substance listed in subsection (1) of this section from the application of all or any part of this chapter if the compound, mixture, or preparation contains one or more active medicinal ingredients not having a depressant effect on the central nervous system, and if the admixtures are included therein in combinations, quantity, proportion, or concentration that vitiate the potential for abuse of the substances which have a depressant effect on the central nervous system."

Section 3. **Effective date.** This act shall become law upon approval by the President of the Federated States of Micronesia or upon its becoming law without such approval.

Date: **11/21/14**  Introduced by: /s/ for Paliknoa K. Welly
Florencio S. Harper (by request)