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CHAPTER 384

1969 Assembly Bill 996

Date published:  
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**CHAPTER 384, LAWS OF 1969**

AN ACT to repeal 161.01 (11) and (13) and 161.275; to renumber 151.07; to amend 161.30 (1) (intro.) and (a) 1, as renumbered, 151.10 (1) (intro.), chapter 161 (title), 161.01 (14), 161.09 (5), 161.14 (2), (3) and (4), 161.19, 161.20, 161.28, 161.30 (5) and (11), as renumbered, and 165.70; and to create 15.197 (3r), 15.56, 161.001, subchapters I (title) and II (title) of chapter 161, 161.30 (1) (a) 4 and 5, (L), (m) and (n) and (12), 161.31, 161.32, 161.35, 161.45, subchapter III of chapter 161 and 165.10 of the statutes, relating to control of narcotics and dangerous drugs and providing penalties.

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

SECTION 1. 15.197 (3r) of the statutes is created to read:

15.197 (3r) DANGEROUS SUBSTANCE CONTROL COUNCIL. There is created in the department of health and social services a dangerous substance control council consisting of the attorney general and secretaries of health and social services and agriculture, or their designees; the chairmen of the pharmacy examining board or his designee, one psychiatrist and one pharmacologist, the latter 2 to be appointed by the governor to serve 3-year terms.

SECTION 1m. 15.56 of the statutes is created to read:

15.56 DRUG ABUSE CONTROL COMMISSION. There is created a drug abuse control commission consisting of the governor or his designee, the attorney general or his designee, the superintendent of public instruction or his designee, the secretary of health and social services or his designee, a representative of the dangerous substance control council, the chairman of the pharmacy examining board or his designee, and 2 members of each house of the legislature, representing the major party and the next most numerous party in each house, chosen as are members of standing committees.

SECTION 2. 151.07 of the statutes is renumbered 161.30 and 161.30 (1) (intro.) and (a) 1, as renumbered, are amended to read:

161.30 (1) (intro.) As used in this ~~chapter~~ section unless the context requires otherwise:

(a) 1. Any drug or drug-containing preparation, ~~the original container of which bears the statement "Caution federal law prohibits dispensing without prescription."~~ which is subject to the provisions of s. 303 (c) and 503 (b) of the federal food, drug and cosmetic act, as amended.

SECTION 3. 151.10 (1) (intro.) of the statutes is amended to read:

151.10 (1) (intro.) No person shall sell or deliver any of the poisonous salts or compounds of antimony, arsenic, chromium, lead, mercury, silver, tin or zinc, the concentrated mineral acids; oxalic, carbolic or hydrocyanic acids or their salts, formaldehyde, yellow phosphorus, the essential oils of almonds, pennyroyal, rue, savin or tansy; croton oil, creosote, chloroform, cantharides, aconite, belladonna, bitter almonds, colchicum, cotton root, ~~Cannabis indica~~, digitalis, ergot, hyoscyamus, lobelia, nux vomica, physostigma, strophanthus, stramonium, veratrum viride, or any of the poisonous alkaloids or glucosides derived from the foregoing or in any other virulent poison, unless it be upon the prescription of authorized practitioners of medicine, dentistry or veterinary medicine, except as follows:

SECTION 4. Chapter 161 (title) of the statutes is amended to read:

CHAPTER 161.

NARCOTICS AND DANGEROUS SUBSTANCES.

SECTION 5. 161.001 of the statutes is created to read:

161.001 DECLARATION OF INTENT. The legislature finds that the abuse of narcotics and dangerous substances constitutes a serious problem for society. As a partial solution, these laws regulating mind altering substances have been enacted with penalties. The legislature, recognizing a need for differentiation among those who would violate these laws makes this declaration of legislative intent:

(1) Persons who illicitly traffic commercially in narcotics and dangerous drugs constitute a substantial menace to the public health and safety. The possibility of lengthy terms of imprisonment must exist as a deterrent to trafficking by such persons. Upon conviction for trafficking, such persons should be sentenced in a manner which will deter further trafficking by them, protect the public from their pernicious activities, and restore them to legitimate and socially useful endeavors.

(2) Persons who habitually or professionally engage in commercial trafficking in narcotics or dangerous drugs should, upon conviction, be sentenced to substantial terms of imprisonment—to shield the public from the predatory acts. However, persons addicted to or depending on these dangerous substances should, upon conviction, be sentenced in a manner most likely to produce addiction or dependency rehabilitation.

(3) Upon conviction persons who casually use or experiment with narcotics or dangerous drugs should receive special treatment geared toward rehabilitation. The sentencing of casual users and experimenters should be such as will best induce them to shun further contact with these dangerous substances and to develop acceptable alternatives to drug abuse.

SECTION 6. Subchapter I (title) of chapter 161 is created to read:

SUBCHAPTER I.

NARCOTICS.

(to precede s. 161.01)

SECTION 7. 161.01 (11) and (13) of the statutes are repealed.

SECTION 8. 161.01 (14) of the statutes is amended to read:

161.01 (14) "Narcotic drugs" means any of the following, whether produced directly or indirectly by extraction from substances of natural origin, or independently by means of chemical synthesis, or a combination of extraction and chemical synthesis: opium, meperidine, isonipicaine, methadone, methadol, alphaprodine (Nisentil), heptazone, ketobemidone, levorphan, ~~cocaine leaves, cannabis~~ and any other drug found by the ~~state board of health~~ *dangerous substance control council* after due notice and opportunity for public hearing to possess addiction or *psychological dependency* potentialities similar to those drugs listed herein, and proclaimed by the governor to have been so found by the ~~board council~~, and any compound, manufacture, salt, derivative or preparation of the foregoing. The ~~board council~~ is authorized to issue necessary rules for carrying out this subsection.

SECTION 9. 161.09 (5) of the statutes is amended to read:

161.09 (5) The form of records shall be prescribed by the ~~state board of health~~ *pharmacy examining board*. The record of narcotic drugs received shall in every case show the date of receipt, the name and address of the person from whom received, and the kind and quantity of drugs received; the kind and quantity of narcotic drugs produced or removed from process of manufacture, and the date of such production or removal from process of manufacture; and the record shall in every case show the proportion of morphine, ~~cocaine or eugonine~~ contained in or pro-

ducible from crude opium or cocoa leaves received or produced, and the proportion of resin contained in or producible from the plant *Cannabis Sativa L.*, received or produced. The record of all narcotic drugs sold, administered, dispensed or otherwise disposed of, shall show the date of selling, administering or dispensing, the name and address of the person to whom, or for whose use, or the owner and species of animal for which the drugs were sold, administered or dispensed, and the kind and quantity of drugs. Every such record shall be kept for a period of 2 years from the date of the transaction recorded. The keeping of a record required by or under the federal narcotic laws, containing substantially the same information as is specified above, shall constitute compliance with this section, except that every such record shall contain a detailed list of narcotic drugs lost, destroyed or stolen, if any, the kind and quantity of such drugs, and the date of the discovery of such loss, destruction or theft.

SECTION 10. 161.14 (2), (3) and (4) of the statutes are amended to read:

161.14 (2) Upon written application by the ~~state health officer department of justice~~, the court or magistrate by whom the forfeiture of narcotic or dangerous drugs has been decreed may order the delivery of any of them ~~except heroin and its salts and derivatives, in said state health officer the department of justice~~, for distribution or destruction, as hereinafter provided.

(3) Upon application by any hospital within this state, not operated for private gain, the ~~state health officer department of justice~~ may ~~in his discretion~~ deliver any narcotic drugs that have come into ~~his~~ *its* custody ~~having recognized medicinal value~~ by authority of this section to the applicant for medicinal use. The ~~state health officer department of justice~~ may from time to time deliver excess stocks of such narcotics drugs to the ~~United States~~ U.S. commissioner of narcotics, or may destroy the same.

(4) The ~~state health officer department of justice~~ shall keep a full and complete record of all drugs received and of all drugs disposed of, showing the exact kinds, quantities and forms of such drugs; the persons from whom received and to whom delivered; by whose authority received, delivered and destroyed; and the dates of the receipts, disposal or destruction, which record shall be open to inspection by all federal or state officers charged with the enforcement of federal and state narcotic laws.

SECTION 11. 161.19 of the statutes is amended to read:

161.19 (1) ~~It is the duty of the state board of health and state board of The department of justice and the pharmacy examining board, their officers, agents, inspectors and representatives, and of all peace officers within the state, and of all district attorneys, to shall enforce all provisions of this chapter, except those provisions specifically delegated, and to cooperate with the dangerous substance control council and all agencies charged with the enforcement of the laws of the United States, of this state, and of all other states, relating to narcotic drugs.~~

(2) The clerks of all courts having criminal jurisdiction shall make and transmit to the ~~board of health crime laboratory division in the department of justice~~, on January 1 and July 1 of each year upon forms furnished by the ~~state board of health department of justice~~, reports of the number of persons convicted (upon trial or by plea of guilty or by plea of nolo contendere) of violations of ~~provisions of chapter chs. 151 and 161.~~

SECTION 12. 161.20 of the statutes is amended to read:

161.20 PENALTIES. Any person violating ~~any provision of this chapter, except sections s. 161.02 and 161.275, shall upon conviction be punished by a fine may be fined not exceeding more than \$1,000, or by imprisonment for imprisoned not exceeding more than 3 years or by both such fine and imprisonment.~~

SECTION 13. 161.275 of the statutes is repealed.

SECTION 14. 161.28 of the statutes is amended to read:

161.28 PENALTIES; SENTENCE; PROBATION AND PAROLE; EVIDENCE AND PROCEDURE ON PRIOR CONVICTIONS. (1) Any person who violates s. 161.02 (1) ~~or 161.275 (1)~~ shall *may* be imprisoned not less than 2 nor more than 10 years. For a ~~second~~ 2nd offense or if, in case of a first conviction of violating s. 161.02 (1) ~~or 161.275 (1)~~ such person had previously been convicted of any violation of the laws of the United States or of any state, territory or district thereof, relating to narcotic drugs ~~or marijuana~~, such person shall *may* be imprisoned not less than 5 nor more than 10 years. For a ~~third~~ 3rd or subsequent offense, or if such person had previously been convicted 2 or more times in the aggregate of any violation of the laws of the United States or of any state, territory or district thereof, relating to narcotic drugs ~~or marijuana~~, such person shall *may* be imprisoned not less than 10 nor more than 20 years. Except for a first offense sentence shall not be withheld or its execution stayed pursuant to ch. 57, and parole shall not be granted until the minimum imprisonment provided for the offense has been served, less good time allowances as provided in ss. 53.11 and 53.12.

(2) Any person making an illegal sale of narcotic drugs ~~or marijuana~~ to any person under the age of 21 years shall *may* be imprisoned not less than 3 years nor more than 25 years. For a ~~second~~ 2nd conviction for such offense, such person shall *may* be imprisoned for not less than 20 years nor more than life. For a ~~third~~ 3rd conviction for such offense such person shall *may* be imprisoned for life. Except for a first offense, sentence shall not be withheld or its execution stayed pursuant to ch. 57, and parole shall not be granted until the minimum imprisonment provided for the offense has been served, less good time allowances as provided in ss. 53.11 and 53.12.

(3) The procedure for charging and determining prior convictions under this section shall be as provided in s. 959.12 (1).

SECTION 15. Subchapter II (title) of chapter 161 of the statutes is created to read:

#### SUBCHAPTER II.

#### DANGEROUS SUBSTANCES.

(to precede 161.30 of the statutes)

SECTION 16. 161.30 (1) (a) 4 and 5, (L), (m) and (n) of the statutes are created to read:

161.30 (1) (a) 4. Marijuana, coca leaves, cocaine or ecgonine.

5. Any other drug found by the dangerous substance control council, after due notice and opportunity for public hearing, to possess psychological or physical dependency potentialities similar to those drugs listed herein, and proclaimed by the governor to have been so found by the council, and any compound, manufacture, salt, derivative or preparation of the foregoing. The council is authorized to issue necessary rules for carrying out this subsection.

(L) "Sale" includes barter, exchange or gift, or offer therefor, and each such transaction made by any person, whether as principal, proprietor, agent, servant or employe.

(m) "Marijuana" means all parts of the plant *Cannabis Sativa L.*, whether growing or not; the seeds thereof, the resin extracted from any part of such plant; and every compound, manufacture, salt, derivative, mixture, or preparation of such plant, its seeds, or resin; or any material chemically similar to biologically active substances contained in *Cannabis Sativa L.*, whether produced directly or indirectly by extraction from substances of natural origin, or indirectly by means of chemical synthesis, or a combination of extraction and chemical synthesis; but shall not in-

clude the mature stalks of such plant, fiber produced from such stalks, oil or cake made from the seeds of such plant, any other compound, manufacture, salt, derivative, mixture, or preparation of such mature stalks (except the resin extracted therefrom), fiber, oil or cake, or the sterilized seed of such plant which is incapable of germination.

(n) "Coca leaves" includes cocaine and any compound, manufacture, salt, derivative, mixture or preparation of coca leaves, except derivatives of coca leaves which do not contain cocaine, ecgonine or substances from which cocaine or ecgonine may be synthesized or made.

SECTION 17. 161.30 (5) and (11) of the statutes, as renumbered, are amended to read:

161.30 (5) No prescription for a dangerous drug shall be refilled except as designated on such prescription, and unless accurate record of such refilling is entered on such prescription showing the date and amount thereof. No oral or written prescription shall be refilled unless the provisions of ~~151.07 (2)~~ sub. (2) have been first complied with and unless either written or oral authority has been given by the prescriber.

(11) ~~The state board of pharmacy examining board is hereby authorized to promulgate necessary regulations rules for the administration and enforcement of this section. The department of justice and the pharmacy examining board each shall have authority to promulgate necessary rules for the enforcement of this section. The department and the examining board shall be responsible for the enforcement of this section.~~

SECTION 18. 161.30 (12) of the statutes is created to read:

161.30 (12) (a) Any person who violates this section by illegally using or possessing marijuana, may, upon a first conviction, be imprisoned in the county jail for not more than one year or fined not more than \$500 or both.

(b) Any person who violates this section by illegally using or possessing any dangerous drug except marijuana under this section may, upon a first conviction, be imprisoned not more than one year or fined not more than \$500 or both.

(d) Any person who is convicted of illegal possession with intent to sell, sale, furnishing or transportation of any dangerous drug defined under this section may be imprisoned not more than 5 years or fined not more than \$5,000 or both. For a 2nd conviction of such offense, such person may be fined not more than \$5,000 or imprisoned not more than 10 years or both.

(e) Whoever, with intent that a violation of this section be committed, advises, induces or encourages directly or by any other means, another to commit a violation of this section may be fined not more than \$2,500 or imprisoned not more than 5 years or both.

(f) Any person making an illegal sale of dangerous drugs to any person under the age of 21 years shall be imprisoned not more than 15 years. For a 2nd conviction of such offense, such person may be imprisoned for not less than 30 years nor more than life. For a 3rd conviction for such offense such person shall be imprisoned for life. Except for a first offense, sentence shall not be withheld or its execution stayed pursuant to ch. 57, and parole shall not be granted until the minimum imprisonment provided for the offense has been served, less good time allowances as provided in ss. 53.11 and 53.12.

(g) Any person who violates par. (a) or (b) may for a 2nd or subsequent conviction be imprisoned not more than 2 years or fined not more than \$1,000 or both.

(h) For the purpose of this section a previous conviction of any of the laws of the United States or of any state, territory or district thereof, relating to the same or a similar offense involving the illegal possession, use or sale of narcotic drugs, dangerous drugs or marijuana shall be a previous conviction under this section.

(i) Whenever any person who has not previously been convicted of any offense under this chapter or under any statute of the United States or of any other state relating to dangerous drugs or narcotics, pleads guilty to or is found guilty of possession or use or gift of marijuana under this section the court may, without entering judgment and with the consent of such person, defer further proceedings and place him on probation under ch. 57. Upon violation of a term or condition, the court may enter an adjudication of guilt and proceed to sentence the defendant. Upon fulfillment of the terms and conditions, the court shall discharge such person and dismiss the proceedings against him. Discharge and dismissal under this subsection shall be without court adjudication of guilt and shall not be deemed a conviction for purposes of disqualifications or disabilities imposed by law upon conviction of a felony or misdemeanor. Discharge and dismissal under this subsection may occur only once with respect to any person.

SECTION 19. 161.31 of the statutes is created to read:

161.31 EXEMPTION FROM PROSECUTION. (1) No person who voluntarily surrenders to law enforcement authorities any narcotics or dangerous drugs, otherwise illegally possessed under this chapter, shall be subject to prosecution under this chapter for such illegal possession.

(2) No surrender of narcotics or dangerous drugs shall be deemed to have been made voluntarily under this section when tender thereof is made to law enforcement officers:

(a) Actively seeking evidence of violation of this chapter.

(b) Actively seeking to apprehend any person alleged to have violated this chapter.

SECTION 20. 161.32 of the statutes is created to read:

161.32 RESEARCH PERMITS. Renewable permits for research on specified narcotics and dangerous drugs, issuable for 6-months periods, may be granted to any responsible person by the department of justice with the advice of the dangerous substances control council. Such permits shall be granted under rules adopted by the department of justice. Possession and use of narcotics and dangerous drugs in accordance with terms of the permit shall be deemed legal.

SECTION 21. 161.35 of the statutes is created to read:

161.35 REGULATION OF MODEL AIRPLANE GLUE. (1) DEFINITION. "Airplane glue" means any glue, adhesive cement mucilage, plastic cement or any similar substance used for building model airplanes containing one or more of the following volatile substances: acetone, benzene, butyl alcohol, cyclohexanone, ethyl acetate, ethyl alcohol, ethylene dichloride, hexane, isopropyl alcohol, methyl alcohol, methyl cellosolve, acetate, methyl ethyl ketone, methyl isobutyl tetone, pentachlorophenol, petroleum ether, trichlorethylene, tricresyl phosphate, toluene, toluol, or any other chemical capable of producing intoxication when inhaled.

(2) SALE. No person shall sell airplane glue to any person under 16 years of age.

(3) COMMERCIAL DISPLAY. No person shall publicly exhibit or display airplane glue except in a locked case.

(4) PENALTIES. Any person violating this section may be fined not less than \$10 nor more than \$100 or imprisoned not more than 30 days or both. Each day that each violation continues shall be considered a separate offense.

SECTION 22. 161.45 of the statutes is created to read:

161.45 FORFEITURE OF VEHICLE OR AIRCRAFT. Any vehicle, as defined in s. 939.22 (44), which was with the knowledge of the owner intentionally used or employed to aid in or to facilitate the unlawful sale or

transportation of narcotics or a dangerous drug, when the possession or use of such a drug is punishable as a felony pursuant to this chapter, in or about this state or in or out of this state may be seized by any peace officer and shall be forfeited to the state in an action brought by the attorney general or the district attorney of the county where the vehicle or aircraft is subject to forfeiture and such action shall be in the name of and on behalf of the state in accordance with ch. 288. Lienholders and owners shall have the same rights as provided in s. 139.40.

SECTION 22m. Subchapter III of chapter 161 of the statutes is created to read:

SUBCHAPTER III.  
HEALTH PROBLEMS.  
(to precede s. 161.60)

161.60 DRUG ABUSE CONTROL COMMISSION; POWERS AND DUTIES. The drug abuse control commission shall be the primary state authority to apply for and to receive funds from the United States government, gifts, donations and bequests, for the purpose of combating drug abuses, and to distribute such funds to state and local agencies for approved programs.

(1) The commission shall:

(a) Consider all questions and matters relating to drug abuse prevention.

(b) Coordinate and review state department and agency efforts to prevent and control drug abuse and make recommendations to such departments and agencies.

(c) Deliver a biennial report in January of each odd-numbered year to the governor and the legislature reviewing state activities in the area of drug abuse prevention and control and making recommendations for further legislation.

(2) The commission may:

(a) Determine the effectiveness of existing state drug abuse prevention and control programs and recommend new or improved programming.

(b) Make public reports to educate and inform the people as to the dangers and problems of drug abuse, together with recommended measures to combat drug abuse.

(c) Define responsibility among state agencies for various drug abuse prevention and control programs and direct cooperation between state departments and agencies.

161.61 DEFINITIONS. In ss. 161.60 to 161.64:

(1) "Drug dependence" means a condition arising from the periodic or continuous use of a drug which may result in psychic or physical dependence which would affect or potentially affect the public health, safety or welfare.

(2) "Drug abuse" means the use of a drug in such a manner as to endanger the public health, safety or welfare.

(3) "Secretary" means the secretary of health and social services.

(4) "Drug" means a substance included in the definitions under ss. 161.01 (14) and 161.30.

161.62 DRUG DEPENDENCE PROGRAM. A drug dependence and drug abuse program is created within the department of health and social services. The secretary is authorized to develop and carry out programs concerned with education about and prevention of drug dependence and drug abuse, and programs concerned with treatment and rehabilitation of drug dependent persons and persons who abuse drugs. The secre-

tary shall appoint a drug dependence program coordinator to handle liaison with other departments and agencies, including the drug abuse control commission. These programs may include, but shall not be limited to:

(1) Education regarding use of drugs, and the prevention of drug dependence and drug abuse.

(2) Diagnosis, treatment and rehabilitation of patients who are drug dependent persons or persons who abuse drugs.

(3) Development of standards and provision of consultation for local drug dependence and drug abuse programs.

(4) Evaluation of programs conducted pursuant to the authority of this subsection as to their effectiveness and relationship to the public health, safety and welfare and the development of improved techniques for the prevention and treatment of drug dependence and drug abuse.

(5) Promotion and establishment of cooperative relationship with public and private agencies which have a responsibility for the prevention and treatment of drug dependence and drug abuse.

161.63 ADVISORY COMMITTEE. The secretary may appoint an advisory committee on drug dependence and drug abuse to meet on the call of the secretary and to advise him on broad policies and goals for the drug dependence and drug abuse program.

161.64 FEDERAL COOPERATION. The drug abuse control commission, shall cooperate with agencies of the federal government and receive and use federal funds for the purposes of ss. 161.60 to 161.64.

161.65 GIFTS. The department of health and social services may accept, receive, administer and expend any money, material or other gifts or grants of any description for purposes related to those set forth in ss. 161.60 to 161.64. Moneys and grants received under this section shall be deposited with the state treasurer and shall be credited to the department of health and social services and expended by the department or the drug abuse control commission for the purposes specified.

SECTION 23. 165.10 of the statutes is created to read:

165.10 DANGEROUS SUBSTANCE CONTROL COUNCIL. (1) The council shall study dangerous substances and drugs, whether they are a subject of the statutes or not, and prepare additional schedules of dangerous substances and drugs for recommended legislation.

(2) The council, in conjunction with the pharmacy examining board, shall review the latter's actions on legal trafficking in drugs, narcotics, depressants and stimulants, and shall recommend legislative changes to improve such program.

(3) In preparing its legislative recommendations, the council shall review new scientific developments and changing sociological conditions.

(4) When it appears to the satisfaction of the council that any drug or substance not prescribed under this chapter is dangerous to or is being so used as to endanger the public health and welfare, the department of justice in the name of the state may seek a temporary restraining order or temporary injunction under ch. 268 and may either ban or regulate the use, sale and possession of such drug or substance. Such order or injunction shall continue until the adjournment of the legislature convened next following issuance of the order or injunction.

(5) In making administrative determinations as to substances and drugs deemed to be dangerous under sub. (1) and s. 161.30 (1) (a) 4, or as to drugs or their derivatives deemed to be narcotic drugs under s. 161.01 (14), the council shall consider:

(a) Actual or relative potential for abuse.

(b) Scientific evidence of pharmacological effect, if known.

(c) State of current scientific knowledge regarding the substance.



- (d) History and current pattern of abuse.
- (e) Scope, duration, and significance of abuse.
- (f) Hazard, if any, to the public health.
- (g) Psychic or physiological dependence liability.
- (h) Controls required based on United States obligations under international treaties, conventions, or protocols.
- (i) Whether the substance is an immediate precursor of a substance already controlled under this chapter.

SECTION 24. 165.70 of the statutes, as affected by chapter 276, laws of 1969, is amended to read:

165.70 (1) The division of criminal investigation shall investigate crime which is state-wide in nature, importance or influence, *which shall include the responsibilities and authority specified for the division under ss. 161.19 and 161.30.*

(2) An assistant attorney general shall be assigned to initiating and supervising the investigations referred to in sub. (1).

(3) The attorney general shall appoint, under the classified service, ~~not to exceed 5~~ investigators to assist in the investigations referred to in sub. (1) *to achieve the purpose set out in sub. (1).*

(4) The officers referred to in subs. (2) and (3) shall have the same general police powers as are conferred upon peace officers. *As many as are deemed necessary of the investigators so appointed shall be trained in drugs and narcotics law enforcement, or shall receive such training within one year of their appointment, and they shall assist, when appropriate, local law enforcement agencies to help them meet their responsibilities in this area.*

(5) Local district attorneys, sheriffs and chiefs of police ~~are directed to~~ *shall* cooperate and assist the personnel of the division in the ~~detection~~ *performance of their duties.*

Approved February 2, 1970.

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