MINUTES OF THE MEETING OF THE JOINT APPROPRIATIONS
SUBCOMMITTEE ON LONG RANGE BUILDING
March 25, 1981

The meeting was called to order by JACK K. MOORE, Chairman, at 1:35 p.m. in room 108 of the Capitol Building. All Committee members were present except for REP. BARDANOUVE (Excused), and SEN. HIMSL. Also in attendance was BOB ROBINSON, Fiscal Analyst.

Testimony was given by Dr. William J. Tietz, MSU President; Ed Groenhout, Acting Dean at MSU; Commissioner John Richardson; Dr. Dave Young, Professor at MSU; Dr. Jim Glosser, Administrator of the Dept. of Livestock; Dr. John Jutila, Vice-President for Research; Dr. Morris Hall, Veterinarian.

THE CHAIRMAN stated topics to be discussed would be the MSU Visual Communication Building and HB 843 regarding the Animal Laboratory at MSU.

DR. TIETZ stated in 1957, a Film and Television Center was established at MSU. (see EXHIBIT B) He further explained EXHIBIT A and all of the X's indicate where the Film and TV classes are held. He noted the extreme inconvenience of having to have these services around the campus. He wanted it noted in the Film and TV area, not only is this an instructional program, but also an entire service area for the University. The one concern is even though the program has been capped, they are confronted with a service demand, such as training programs etc. He noted there was an effort by the 75 legislature to put together a program to house various programs of the film and television. They are now back in 1981 due to being turned down. The size of the building required would be around 25,000 gross square feet, the total project cost would be in excess of $4,500,000. He stated the question has arisen that this particular program duplicates others around the state. There was a review by the Commissioner, through the recommendation of the Board of Regents, and the programs were assessed.

It was the general feeling that the combination of environment, facilities and academic orientation at each of the institutions make each unique and essential. During the last legislative session, the University received approval to plan for a Visual Communications Building, and he stated they did receive an architectural plan for the building. One of the objectives of the architects was to maximize space by combining the film, television and photography under one roof. They are attempting to provide zoning and utilization of this facility after hours. Also, they intend to provide an example of low energy use, and low operation and maintenance costs. He noted there would be very few barriers, if any, so accessibility to the handicapped would be handled. He explained in this facility the heat

generated by the lights, even in subzero weather, will not require outside input of energy.

Examples of low energy use would be, one floor will be almost underground, minimum of windows, protective wall on the north side, optimal insulation, double paned windows, heat pumps placed strategically, and energy thermal storage units. He stated in summary they will have an instructional and service area to those who are interested in this as a major and ancilliary program.

DR. ED GROENHOUT, introduced 6 MSU students to the committee and asked them to each take a few minutes to explain the conditions of the Film and Television program at MSU. These students were Jim Linker, Maria Billinis, Robin Dickey, Craig W. Campana, Theron Yeager and Joseph Landsverk. He asked Theron Yeager to speak to the committee about being an out of state student attending MSU. He noted several years ago he did a graduate study based upon 10 years of graduating seniors to see how many were from out of state.

THERON YEAGER stated when he checked into schools to attend in this field, MSU was rated No. 8 in the western U. S. He noted that trying to get into a film school in California is a ration close to 1 out of 200. The other students expressed the program at MSU is very good, but they are restricted as to what classes they can take, and the sharing hours on certain equipment is difficult, since some students have to get up in the middle of the night to practice. Other major problem is getting the heavy equipment from one area of the campus to another.

JIM OXBY, representative of the Associated Students at MSU, wanted to remind the committee that the 46th legislature assisted the students in obtaining this building by allowing the University to plan the building. He wanted to stress the importance of the building and it is now the number one priority on the list.

REP. VINCENT stated he felt the time has come for the legislature to make the commitment necessary to construct this building. He stated they have worked hard, requested planning money, and the facility has been planned, and it is now the time to construct the facility.

REP. DONALDSON asked about the difference between the curriculums at the other university system.

MR. RICHARDSON stated the Board of Regents adopted a role and

scope for each of the colleges and universities and in 1979 directed certain programs be given in-depth analysis during the succeeding years. One of the programs analyzed was the Film and TV at MSU, and the radio and television program at U. of M. Dr. Dayton conducted a thorough analysis of those programs and determined there were only 7 courses that were duplicative and those were introductory courses. The Board of Regents visited each campus, met with the faculty and students, and toured the facilities. The Board of Regents conclusion was the programs did not duplicate one another, and in many comprehensive universities throughout the country there are many variations in the film and television programs. It is their opinion, especially in the television area, that this is becoming an instructional aid, just like the computers. The Board of Regents feel that both academic programs should continue and should not be combined, and the Board of Regents has approved both the construction of this facility and the Fine Arts Center at the University of Montana.

DR. TIETZ explained looking at the film and television program at an academic standpoint, much of what is being done in business today and engineering and agriculture depends on visual communication. Many employers stress the importance of the familiarity with the media and communication. They would anticipate being able to have additional courses available for training as an example in business, agriculture and engineering besides offering this to the majors. The research area is another application of this program,which would enhance the extension agencies.

HB 843

PROPONENTS:

REP. MOORE, Sponsor of HB 843, stated he introduced this bill for construction of a central laboratory facility at MSU. He read portions of EXHIBIT C to the committee.

DR. TIETZ stated that during WWII there was a great deal of research done on laboratory animals for many reasons. The concerns of the post war generations turned to humanitarian interests and one of the things discovered were conditions that laboratory animals were maintained throughout many of the teaching areas around the country were less than humane. As a result, a great deal of agitation developed in Congress in the late 50's and 60's, which culminated in the passage of Public Law 85-544, or the Animal Welfare Act. The Act specifies in great detail as to how the animals will be cared for and maintained, such as cage size, lighting, and ventilation conditions which are under the inspection of the U. S. Department of Agriculture. Many care rules were developed as a result of the Act, and these rules are what is spoken of in regard to violations and is referred to on pages 3 and 4 of EXHIBIT C.

He stated they are embarassed regarding the facilities for their animals and the lack of centralized care. They are presently in 17 different locations throughout the campus. the walls are not adequate for sterilizing, and one of the solutions is to develop this plan. The ultimate issue is the cutting off of the research federal dollars if they do not comply in a certain period of time to the standards set by the Department of Agriculture. He stated many people have asked why they don't use animals shipped in, and in the past they have. At this time transportation costs are so high, they are paying more for transportation than for the animals. He stated that because of the inefficient transportation system, there has been many problems with the arrival of animals. He stated at one time MSU was the nation's leader in the research of the germ free nude mouse. (see EXHIBIT D) Because of the facilities on the campus, MSU has lost their unique position in the nation. In terms of the magnitude, MSU handles approximately 60,000 animals in a years time, the bulk of these are mice. The animals involved are mice, guinea pigs, hampsters, turtles, chickens, rats, cats, and dogs. In essence, this is a $4 million facility that will provide a quality animal for a research program, which at the present time is around a $2 million enterprise and could well grow into a $10 million dollar enterprise.

DR. DAVE YOUNG, professor at MSU, stated it was necessary to focus on laboratory animals in the study of livestock disease. He noted there is a broad spectrum of research in livestock disease vaccine study, everything from safety, antibiotic productions, testing for various disease causing agents, etc. He felt they would like to look at what they could do with better facilities rather than looking at the closure of this program. He noted currently the state does not have the facilities for testing hazardous chemicals, and it is necessary to determine what chemicals Montana could use that would be safe.

DR. JIM GLOSSER, Administrator of the Department of Livestock stated the heart and soul of any research program is the animal models. It is necessary to have well designed facilities for this research. He stated in 1980, with the warnings that MSU has received, the State of Montana will have to act or because of the conditional aspects of the National Institute of Health, the program would have to be closed. He felt much of the criticism was valid and he urged the committee to give serious consideration to this bill.

JOHN JUTILA, Vice president for Research at MSU, referred to EXHIBIT D, and the importance of the data attained during successful research due to humane conditions. He stressed the 7 deficiencies which relate to the major problem of not having a centralized facility.

DR. NORMAN REED, Chairman of Microbiology, felt it was important

to think also of human beings. He stated there were several projects proposed to his department that he had to turn down because of the inadequate facilities. He stated with such a facility, the state could save a lot of money, because he is paying $280 per cubic centimeter for certain antiserums that if the facilities were adequate could be processed within the Department for 1/10 of that cost. He expressed disappointment for not getting to stay ahead in a field that he and Dr. Jutila had once achieved.

DR. MORRIS HALL, Animal Care Veterinarian, MSU, stated it is his job to keep the animals as healthy as possible for good research results. This problem is quite difficult since the animals are separated through 7 different buildings, and are financed through 9 different Departments. At present they are using around 5,000 animals and used about 32,000 animals last year with very limited facilities. It is difficult to set up a health care program because as the animals come in there is no chance to isolate them. He stated many diseases come when the animals are brought in. He stated they cannot meet the real requirement of sanitation as it should be because the disinfectants cannot be used on sheetrock and materials that cannot hold up to this. It was necessary to have 3 or more species of animals in one room which is not an accepted practice. He feels MSU cannot afford to have invalid test animals and thus affect the research results.

REP. HURWITZ asked with a facility of this expense, there must be something that he is not aware of and asked Dr. Tietz to explain.

DR. TIETZ explained the facility shown on EXHIBIT C, pages 5, 6 and 7. Contained within this building is an isolation unit that would permit MSU to use biohazardous materials up to a Grade 3. This would be a separately operated facility, with air filtered in and out, the temperature must be maintained constant, all materials entering and leaving must be sterilized, and all individuals entering must be cleansed thoroughly. The remainder of the building would be a holding area and rearing animals of all sizes. One of the principal problems in this area, is that some organisms are passive carriers that would actively infect another species. There is a necessity of keeping a limited number of animals. He further explained EXHIBIT E, page 2, regarding the yellow area, or the circulation tower or bridge that goes between Cooley and Lewis Hall. These buildings are built on different levels and this unit will provide access between floors of the adjacent buildings. Also within the $4 million there is a communication system that links the Laboratory Animal facility and Johnson Hall and Lewis Hall. He

stated approximately $1 million would be spent on the Communication area. At the present time the farm animals are not covered with these present laws, but because of the active use of pigs and goats in research they are now being brought in as experimental animals under the same acts being discussed.

REP. MOORE stated the testimony has given a good explanation regarding the problems and requirements of the buildings. He noted over the past few years there has been a lot of problems in not having adequate facilities, and he feels MSU could lose a lot of research money if this facility is not attained as soon as possible.

There being no further discussion or comments, the meeting was adjourned at 2:50 p.m.

JACK K. MOORE, Chairman

mg

VISITORS' REGISTER

HOUSE LONG RANGE BUILDING COMMITTEE

BILL ~~University & HB 843~~ Date 3/25/81

SPONSOR

NAME	RESIDENCE	REPRESENTING	SUPPORT	OPPO
Joseph E. [illegible]	540 [illegible]	MSU - FATV-PHOTO	X	
Paul J. [illegible]	MSU Bozeman	Film & TV	X	
Jim Linker	35 Kountz Trl, Rt. Bozeman, Mt.	MSU F & TV	X	
Maria Billanis	2008 4th Ave. N. Great Falls, MT 59401	MSU F&TV	X	
Robin A Dickey	2702 Clover Dr Great Falls, MT 59404	MSU F & TV	X	
[illegible]	1810 Ogden Avenue Anaconda, MT 59711	MSU Television	X	
[illegible]	2405 W. College, Park #52 Bozeman, Mont. 59715	MSU F&TV	X	
[illegible]	Bozeman	MSU	X	
[illegible]	Bozeman	[illegible]	✓	
[illegible]	Bozeman	MSU	✓	
M W Hall	Bozeman	MSU	✓	
[illegible]	Bozeman	MSU	✓	
[illegible]	Helena	[illegible]	X	
Jim Monahan	Bozeman	ASMSU	Film & T.V.	

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR LONGER FORM.

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

HOUSE BILL NO. 843

INTRODUCED BY _____

A BILL FOR AN ACT ENTITLED: "AN ACT TO APPROPRIATE $4,203,000 TO MONTANA STATE UNIVERSITY FOR THE CONSTRUCTION OF A CENTRAL ANIMAL LABORATORY FACILITY."

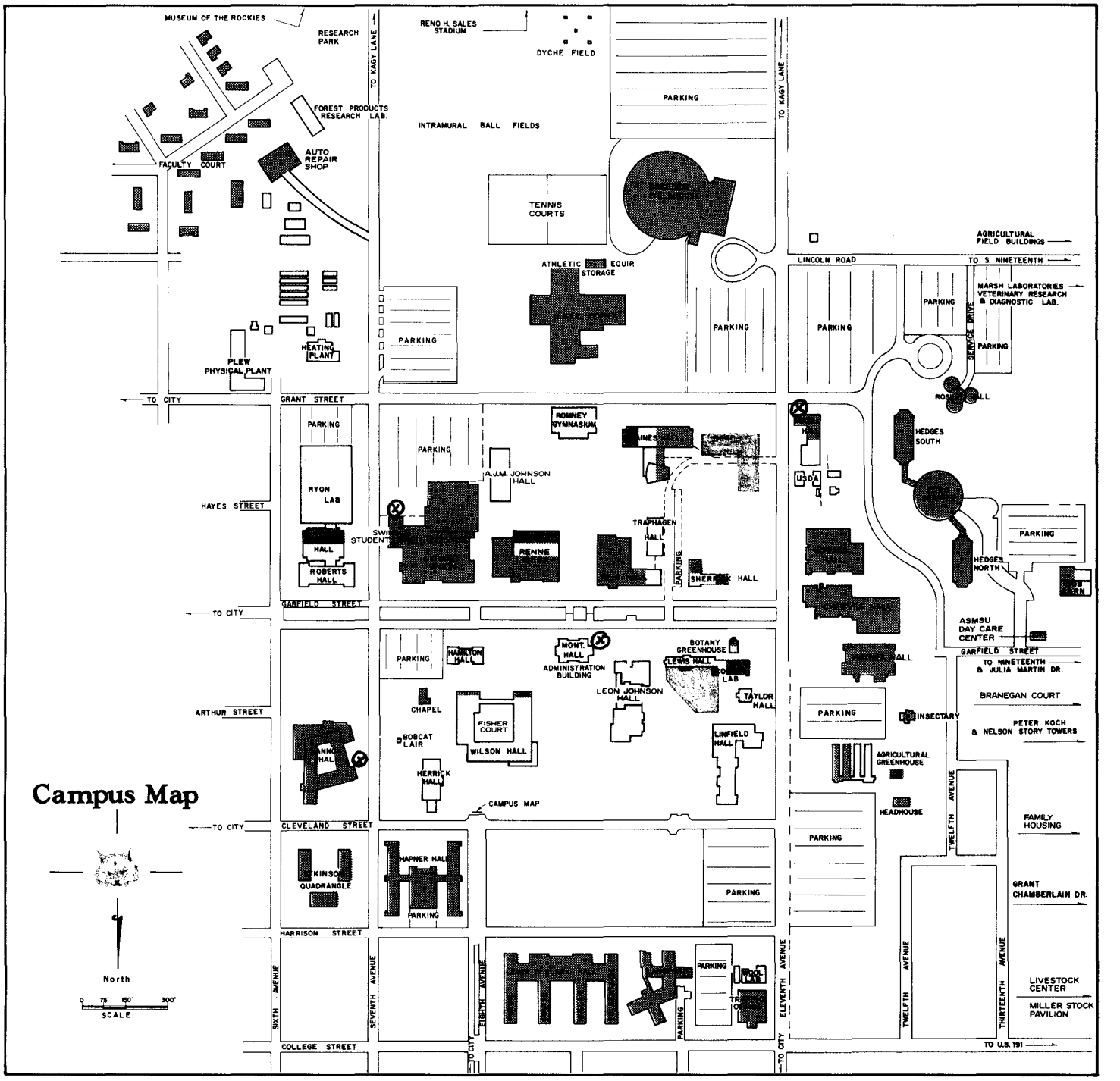
BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Appropriation. There is appropriated from the bond proceeds and insurance clearance fund provided for in 17-2-102 to Montana State University $4,203,000 for the biennium ending June 30, 1983, for the purpose of constructing a central animal laboratory facility.

-End-

INTRODUCED BILL
HB 843

MSU Building / Funding Source



APPROXIMATE PERCENT OF CONSTRUCTION COSTS

- State
- Federal
- Revenue, Student Fee and Gift
- VISUAL COMMUNICATIONS BUILDING
- LABORATORY ANIMAL SUPPORT BUILDING

Exhibit A

VISUAL COMMUNICATIONS AT MSU

Film and Television at Montana State University originated during the mid-1950's as a service function in the Office of Information. Basic courses in photography, film making and television production were offered as electives for students enrolled in established majors. In September of 1957, the Board of Education authorized a Bachelor of Science degree in Film and Television Production and formally established the discipline as an academic department.

By 1970 the program grew to 168 and space became a real problem resulting in a severely fragmented program with offices, laboratories and studios spread across the campus.

In 1976, there were 271 majors. At that time enrollment had to be limited due to the inadequate facilities. As many as 50 to 75 potential students were denied enrollment in overcrowded classes, discouraged from participating in the program, or delayed in their studies. In addition, departmental service to students enrolled in other programs has been severely reduced.

One of the basic strengths of the academic program is the unique combination of its three options: Motion Picture, Television, and Still Photography. The inter-relationships of these media emphasizes the cross-exposure for all majors in the area. This proves a valuable asset to many graduates seeking positions in industry. It provides the employer with an individual more broadly-based than graduates from most other institutions offering similar, but not as all-inclusive, programs as Montana State University.

Professional expertise developed by the department is capable of providing vital communication services to the state but is limited by lack of adequate facilities. It is important the state realize this potential by providing appropriate support.

At best, the current "temporary" facilities can only be described as marginal. Heavy equipment for motion pictures is moved up and down three flights of stairs in an old building where utilities are dangerously overtaxed; an area in a dormitory basement housing darkrooms and technical laboratories conflicts with dorm operation, especially during evening and study hours; space in the Student Health Service, presently used as a studio, is soon to be converted to space for expanded health service to the campus; and television space is distributed throughout another building -- divided by the research facilities of one of the important service laboratories in the State of Montana.

Visual communications is well suited to Montana State University. In addition to aspects of the academic program designed to prepare graduates for successful careers, the department recognizes its responsibility to the agricultural, industrial, educational and other interests in Montana. A broad scope of possibilities for application of visual communications extends across every conceivable academic area at MSU, including engineering, biomedical and physical sciences, nursing, business, the arts, social sciences, and continuing education.

A Visual Communications (Film and Television) facility is desperately needed.

(March, 1981)

Exhibit B

MONTANA STATE UNIVERSITY
Film and Television Department

ORIGIN

1957 -- Regents approved B.S. degree in Film and Television production to prepare students for professional work in television and film industries and offer training in production of film for TV, agriculture, industry, and education.

BUILDING PROJECT HISTORY

1975 -- First request for Film and Television Building. Project not funded.

1977 -- Second request for building. Regents specify building as priority #1 request. Project approved by the Legislature, but not funded; consequently, vetoed by the Governor. During this same year, the television service program was expanded with a Federal grant for the use of a satellite for medical education (WAMI and NCAST).

1979 -- Third request. Planning money requested as priority #1 by Regents. Legislature authorized MSU to spend $225,000 to do preliminary and final planning.

1980 - July -- Fourth request. Regents specify MSU's Visual Communications Building AS THE TOP PRIORITY for new construction. $4,598,000 requested.

A two-year review was conducted in 1979-80 by the Commissioner of Higher Education and the Board of Regents to assess possible duplication of the MSU film and television program and the radio and television program in the School of Journalism at UM. They determined there is no inappropriate duplication. Each program has a "character and emphasis which is considerably different, and both serve useful purposes for the student". As a result, the Board of Regents are requesting funding from the 1981 Legislature for a Visual Communications Building at Montana State University.

The size of the program at MSU is shown below:

Total Number of Majors (1976-80)	1,002
Total Number of Degrees Awarded (1976-80)	187
Television Equipment Inventory	$994,000
(New Government Grant)	+425,000
TOTAL	$1,419,000

LRB

SUMMARY: LABORATORY ANIMAL FACILITY
Montana State University

INTRODUCTION

The Laboratory Animal Welfare Act of 1966 and its amendments insist that those institutions employing laboratory animals must provide resources for their care and maintenance according to the standards defined by the National Institute of Health (DHEW) and the U. S. Department of Agriculture. Both agencies are charged with the responsibility of monitoring and policing animal care in those institutions receiving federal funding.

Montana State University conducts research in a variety of biomedical and agriculture science areas in which experimental animals are employed. At the present time laboratory animals are used in over $2 million worth of federally funded research and between 20 and 25 principal investigators are involved. This research enterprise is one of the largest and best in the northern Rocky Mountain area. In addition, laboratory animals are an essential component of the hands-on learning experiences in Agriculture, Nursing, Medicine, Veterinary Science, Biology and Home Economics. It is the responsibility of the institution and its administration to provide resources that insure optimal conditions and care for these animals.

REQUEST

Recent assessments of the facilities used to house laboratory animals at Montana State University can be summarized by quotations from Dr. George Hoffman, Regional Animal Care Specialist, U. S. Department of Agriculture, and by the Accreditation Site Visit Team from the Northwest Association of Schools and Colleges. Dr. Hoffman's letter of February 5, 1979, says in part, "Montana State University does not have adequate animal cages for research, nor are their facilities adequate to properly clean and sanitize present equipment". Dr. Hoffman continues, "NIH will be notified of the violations being filed against Montana State University with recommendation to discontinue NIH monies and stop immediately further grants to Montana State University."

The Northwest Association Accreditation Team stated in November, 1980, "the need of this facility was reported to the Commission in 1970 as 'urgent'. In 1980 it simply is not enough to hope it will be funded next year. Montana State University should provide proper facilities or get rid of the animals now inadequately housed."

The selection of an architect and preliminary plans were authorized in 1980. Construction of an appropriate central laboratory animal facility is estimated to cost $4.203 million. This estimate includes construction of an infectious disease isolation unit at Hadleigh-Marsh Laboratory.

Exhibit C

Justification for a Central Animal Facility at Montana State University

I. Statement of Need

As Montana's land grant University, MSU has had a long-standing and firm commitment to teaching, research and service in agriculture: much of this activity in agriculture requires the use of animals. In the last two decades, the institution has developed a strong research program in the biomedical sciences involving faculty in the Departments of Biology, Microbiology, Psychology, Veterinary Science, the WAMI Regional Medical School, and the School of Nursing. Collectively, the established programs in agriculture and the more recently developed programs in the biomedical sciences result in a need for large numbers of experimental animals at MSU.

Unfortunately, even though the organization and administration of animal care at MSU is reasonable and researchers respect the rights of animals to receive humane and proper care, MSU has not been able to acquire or develop proper space and facilities for experimental animals. The serious nature of this problem is illustrated by several letters (see letters dated 9/14/77, 12/6/78, 2/5/79) from USDA veterinarians who have noted violations of animal care standards mandated by the Animal Welfare Act of 1966 and its amendments. This Act insists that those institutions employing laboratory animals must provide resources for their care and maintenance in accord with the standards defined by the National Institutes of Health and the U.S. Department of Agriculture. The more recent letter (2/5/79) clearly enunciates the serious nature of the violations and the penalty for not bringing the facilities into compliance. It summarizes MSU's plight by saying:

> "Montana State University does not have adequate animal cages for research nor are their facilities adequate to properly clean and sanitize present equipment. These violations are critical in continuing and maintaining the facility in compliance with the Animal Welfare Act of 1966 and its subsequent amendments. If facility is not brought into compliance, violations will be written. These violations will be sent to the U.S. Office of General Counsel with the recommendation of immediate prosecution. The University could be cited $1,000 per violation plus a cease and desist court order from continuing such violations per Section 19 (b) of the Animal Welfare Act.
>
> NIH will be notified of the violations being filed against Montana State University with recommendation to discontinue NIH monies and stop immediately further grants to Montana State University. Such restrictions, if imposed, would be subsequently lifted as soon as facility came into complete compliance with Animal Welfare regulations and Standards."

More recently, the Accreditation Site Visit Team representing the Commission on Colleges, Northwest Association of Schools and Colleges, severely criticized the animal facilities at MSU and stated that our inadequate facilities places the future of research at MSU in jeopardy. The report comments in the following manner:

> "The University reported in the self-study 'overcrowding and poor housing of animals'. We found during our visit to the campus that the housing of animals was inadequate rather than merely poor: inhumane and substandard

at best. In our opinion, the juxtaposition of animal rooms and often unrelated research facilities is program-limiting, and the hope that construction of proper animal facilities 'will be funded in 1981' (a building program detailing needs already exists) to be almost irresponsible. The need of this facility was reported to the Commission in 1970 as 'urgent'. In 1980 it simply is not enough to hope it will be funded next year. Montana State University should provide proper facilities or get rid of the animals now inadequately housed."

Considering the desire of investigators to provide proper animal care, the criticism from regulatory and accreditation agencies, and the dispersion of our existing, inadequate facilities (there are now 17 different places at MSU where animals are housed), the faculty and administration decided that the only solution is to design, construct, and operate a central animal facility at MSU.

II. Status of Building Plans

In 1979, the Montana Legislature authorized the use of funds for preliminary planning of a Central Animal Facility on the campus of Montana State University. Using these planning funds, MSU has made the progress described below:

1. The architectural firm of E. F. Link and Associates, Billings, MT., was selected to help MSU plan a central animal facility.

2. A building committee appointed by the President recommended that the central animal facility be located north of Cooley Laboratory and Lewis Hall and that it be connected to those two buildings and to Johnson Hall. The proposed central animal facility will house the large numbers of laboratory animals presently located in 17 different places on campus and the design will be flexible enough to accommodate small numbers of larger animals. The animal facilities at the Veterinary Research Lab would be remodeled to accommodate research with dangerous infectious agents.

3. Two members of the building committee, an architect from E. F. Link and Associates, and the Director of MSU's Facilities Planning Office visited animal facilities at Washington State University, Oregon State University and Battelle Northwest Laboratories. After visiting these animal facilities, a schematic plan was prepared.

4. Two veterinarians specializing in Laboratory Animal Care were brought to the MSU campus as consultants. These consultants met with members of the building committee and the firm of E. F. Link and Associates and gave oral and written evaluations of our plans.

5. E. F. Link and Associates have prepared the modified floor plans attached.

6. We seek $4.203 million to construct the proposed central animal facility and infectious disease isolation unit.

SEP 15 1977

UNITED STATES DEPARTMENT OF AGRICULTURE
ANIMAL AND PLANT HEALTH INSPECTION SERVICE
VETERINARY SERVICES
Capitol Station, Livestock Building
Helena, Montana 59601

September 14, 1977

CERTIFIED MAIL-
Return Receipt Requested

Mr. Ted Williams
Vice President for Research
Montana Hall
Montana State University
Bozeman, Montana 59717

Dear Mr. Williams:

Recently an Animal Welfare inspection of the research facilities at MSU in Bozeman was performed by Dr. Paul Holcomb. The inspection on September 1, 1977 listed some of the same discrepancies that were noted on an earlier inspection on February 17, 1977.

A majority of the deficient items are breakdowns in sanitation. I am sure you can have the various departments correct these items in the immediate future.

Some of the other deficiencies will entail making some capital improvements and I realize these will take a little longer to accomplish. I would appreciate if you would return to me in writing a time schedule by which each of these improvements can be accomplished.

I am certain that both you and the researchers involved would much rather produce research results with healthy, well-cared-for animals rather than have unnecessary variables introduced due to sickness caused by unsanitary conditions.

I appreciate your consideration of this matter.

John D. Kopec, DVM
District Veterinarian in Charge

UNITED STATES DEPARTMENT OF AGRICULTURE
ANIMAL AND PLANT HEALTH INSPECTION SERVICE
VETERINARY SERVICES
Capitol Station, Livestock Building
Helena, Montana 59601

DEC 7 1978

December 6, 1978

John Jutila
Vice President of Research
Room 207 Montana Hall
Montana State University
Bozeman, Montana 59715

Dear Sir:

This letter is written to draw your attention to the numerous deficiencies noted in the animal care facilities under your supervision at the Montana State University.

In order for research to be meaningful, adequate care and comfort must be furnished all animals being used. This care and comfort is also required by law under the Animal Welfare Act passed by Congress in 1966 and amended in 1970 and 1976.

Several deficiencies were noted during a recent inspection by Veterinary Services personnel and you have been furnished a copy of this inspection report (V S Form 18-8 dated November 29, 1978). Specific deficiencies involved in this report which are covered in the Title 9 Code of Federal Regulations, Part 3, subpart C are: 3.54 concerning inadequate and/or contaminated feed furnished in unsanitary containers; 3.55 concerning insufficient water furnished in an unsanitary manner; 3.56 concerning inadequate sanitation of primary enclosures; and 3.57 concerning insufficient number of employees properly supervised to maintain minimum standards.

Another outstanding deficiency (3.53) is the inadequate space furnished in primary enclosures for approximately 90% of the rabbits. All rabbits have been weighed and the primary enclosures measured, verifying the deficiencies. With the present primary enclosures there is little choice but to restrict your research to fewer and smaller rabbits in order to meet the minimum standards.

You have established a compliance date and it is important that you convey this information to the researchers under your supervision that they may adjust their work and animals. It is imperative that appropriate action be taken to upgrade this facility to meet the minimum standards now. We recommend that you keep in close contact with Veterinary Services personnel as to the progress being made toward compliance.

Your cooperation on this subject will be appreciated and expected.

Sincerely,

R. C. Patterson
District Veterinarian in Charge

UNITED STATES DEPARTMENT OF AGRICULTURE
ANIMAL AND PLANT HEALTH INSPECTION SERVICE
VETERINARY SERVICES
210 WALNUT STREET, ROOM 877
DES MOINES, IOWA 50309

February 5, 1979

Dr. John Jutila, Vice President
Montana State University
Montana Hall, Room 207
Bozeman, MT 59715

Dear Dr. Jutila:

This letter is written to draw your attention to the numerous violations noted in the animal care facilities under your supervision at the Montana State University.

In order for research to be meaningful, adequate care and comfort must be furnished all animals being used. This care and comfort is also required by law under the Animal Welfare Act passed by Congress in 1966 and its subsequent amendments.

Several violations have been cited on the facility inspection report, VS Form 18-8, dated January 31, 1979. These violations have been a continual problem as so indicated by previous inspection reports. The violations involved, as covered in Title 9, Code of Federal Regulations, Standards, Part 3, Subpart A, B and C, are as follows:

1. 3.1 - Improper storage of feed and bedding. (Dogs & Cats)

2. 3.25 - Improper storage of feed and bedding. (Guinea Pigs)

3. 3.4 - Inadequate space furnished in primary enclosures. (Dogs)

4. 3.53 - Inadequate space furnished in primary enclosures. (Rabbits)

5. 3.51 - Improper interior surfaces in primary enclosures. (Rabbits)

6. 3.29 - Contaminated and inadequate feed. (Guinea Pigs)

7. 3.54 - Contaminated and inadequate feed. (Rabbits)

8. 3.30 - Contaminated and inadequate potable water. (Guinea Pigs)

9. 3.55 - Contaminated and inadequate potable water. (Rabbits)

10. 3.31 - Primary enclosures not properly cleaned and sanitized. (Guinea Pigs)

11. 3.56 - Primary enclosures not properly cleaned and sanitized. (Rabbits)

12. 3.31 - Boards, feed, and feces on floor. (Guinea Pigs)

13. 3.56 - Feed and feces on floor in animal room. (Rabbits)

14. 3.34 - Veterinary Care - guinea pigs housed in same room with rabbits. Possible Bordetella infection from rabbits to guinea pig colonies. (Reported as 3.33 on 18-8)

15. 3.57 - Employees being supervised by those without background in animal husbandry and animal care.

Summary:
Montana State University does not have adequate animal cages for research nor are their facilities adequate to properly clean and sanitize present equipment. These violations are critical in continuing and maintaining the facility in compliance with the Animal Welfare Act of 1966 and its subsequent amendments. If facility is not brought into compliance, violations will be written. These violations will be sent to the U. S. Office of General Counsel with the recommendation of immediate prosecution. The University could be cited $1,000 per violation plus a cease and desist court order from continuing such violations per Section 19 (b) of the Animal Welfare Act.

NIH will be notified of the violations being filed against Montana State University with recommendation to discontinue NIH monies and stop immediately further grants to Montana State University. Such restrictions, if imposed, would be subsequently lifted as soon as facility came into complete compliance with Animal Welfare regulations and standards.

Sincerely,

G. A. Hofmann, D.V.M.

G. A. Hofmann, D.V.M.
Regional Animal Care Specialist

"the next 7 to 8 years." Since not even planning money for this purpose has yet been made available, we view this portion of the self-study with skepticism.

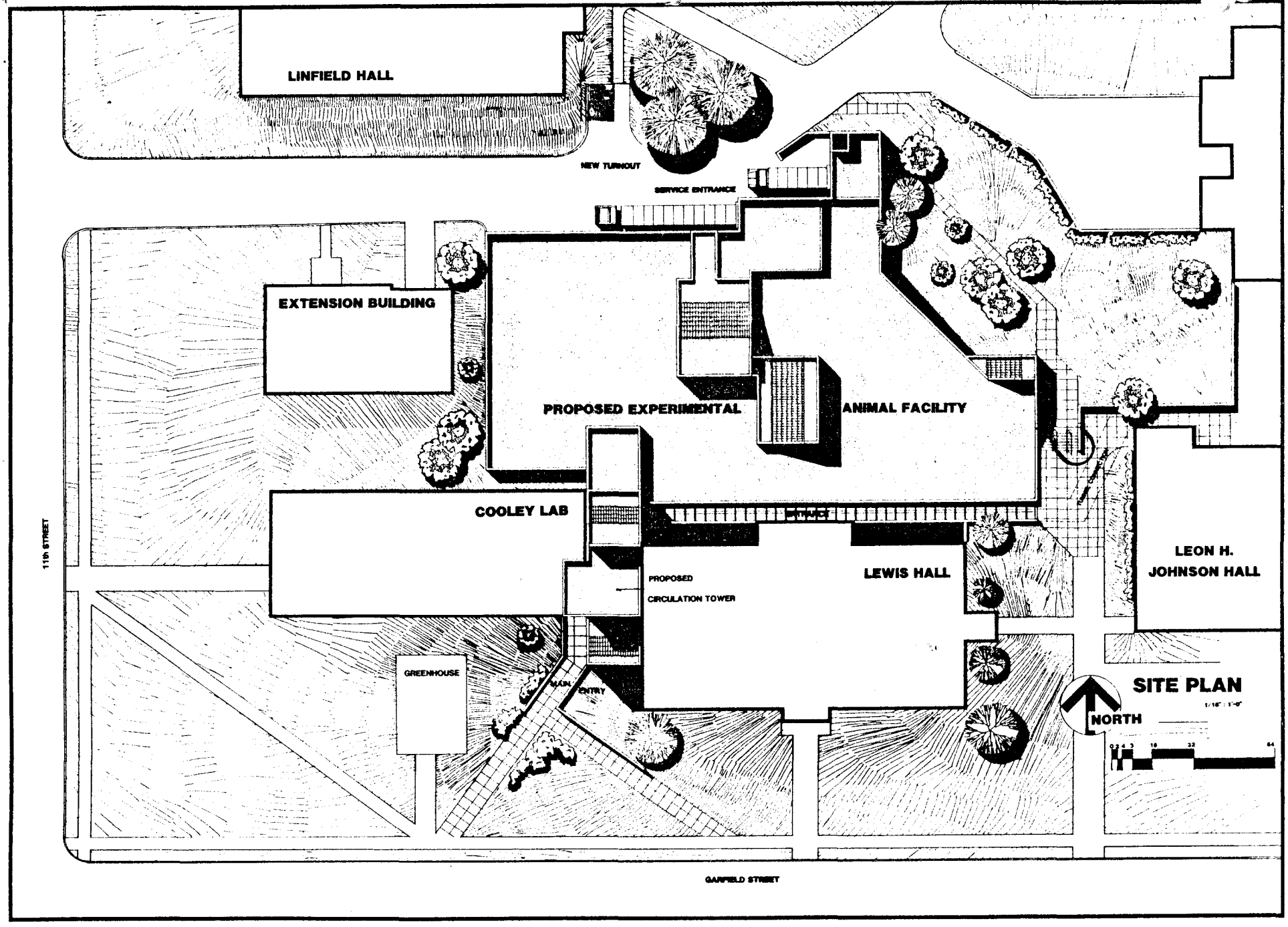
Of a more serious nature is the housing of experimental animals in the Cooley laboratory, which also serves in research and graduate instruction. The University reported in the self-study "overcrowding and poor housing of animals." We found during our visit to the campus that the housing of animals was inadequate rather than merely poor: inhumane and substandard at best. In our opinion, the juxtaposition of animal rooms and often unrelated research facilties is program-limiting, and the hope that construction of proper animal facilities "will be funded in 1981" (a building program detailing needs already exists) should become a reality. The need of this facility was reported to the Commission in 1970 as "urgent." In 1980 it simply is not enough to hope it will be funded next year. Montana State University should provide proper facilties or get rid of the animals now inadequately housed.

On a positive note, and with exceptions noted, we commend the University on the condition of the facilities in Lewis and Cooley which are old and heavily used but clean and well maintained. The obvious care lavished on the older building is, indeed, encouraging.

The Department of Microbiology in particular has made excellent use of the spaces assigned to it. Much of the space in Cooley Hall has been refurbished recently. The furnishings and equipment are up to date and complete. Biochemistry and Genetics, housed in Johnson Hall, are in a modern building and occupy well-equipped if somewhat crowded laboratories. The Department of Biology, on the other hand, seemed to us not so well housed. Research space was reported to be available to those whose programs required it, but not every member was assigned space. Those biology laboratories we visited we judged to be fair to adequate in equipment. Ordinary housekeeping in many of the research spaces was substandard, and much of the space during our very brief visit was unoccupied. These observations are

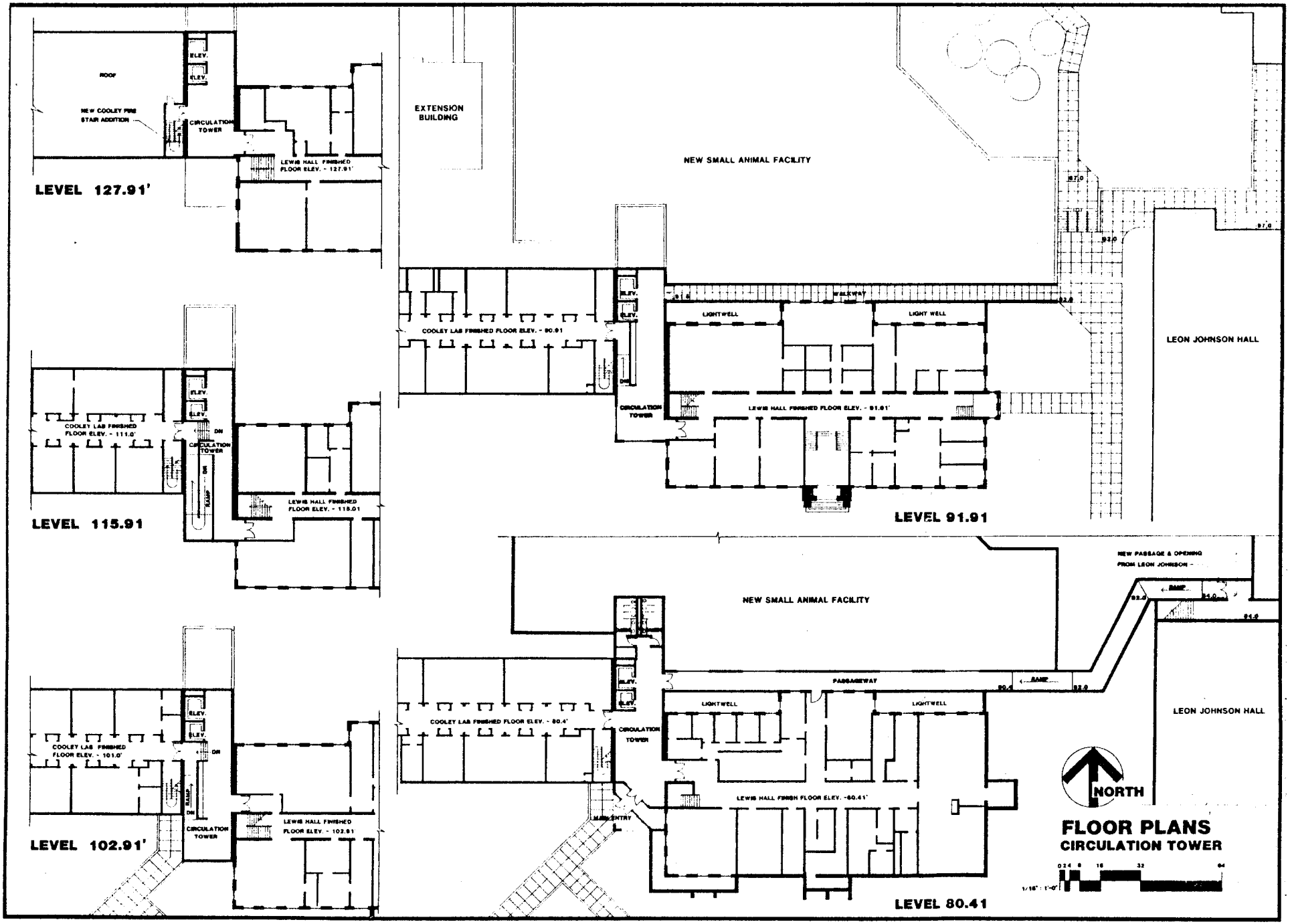
With exceptions noted above, the committee found the biological and health sciences at Montana State University to be vigorous and productive. We commend the University on the quality of leadership in this area, on the fine undergraduate curricula, and on the research programs in Biochemistry and Microbiology. We found the pre-health professions advisement program to be outstanding.

We believe that the present treatment of animals used in research is a discredit to the University, seriously limits current research and instructional programs in all the biological sciences; it very likely places the future of research in this area in jeopardy. We urge the University to correct this serious defect in otherwise good facilities at the earliest possible time. We view the present research activity in the Department of Biology as minimally meeting the objectives of the University and urge the encouragement of research through a combination of facilities improvement and faculty development.



EXPERIMENTAL ANIMAL FACILITY

1



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EXPERIMENTAL ANIMAL FACILITY

TEAM ASSOCIATES ARCHITECTS

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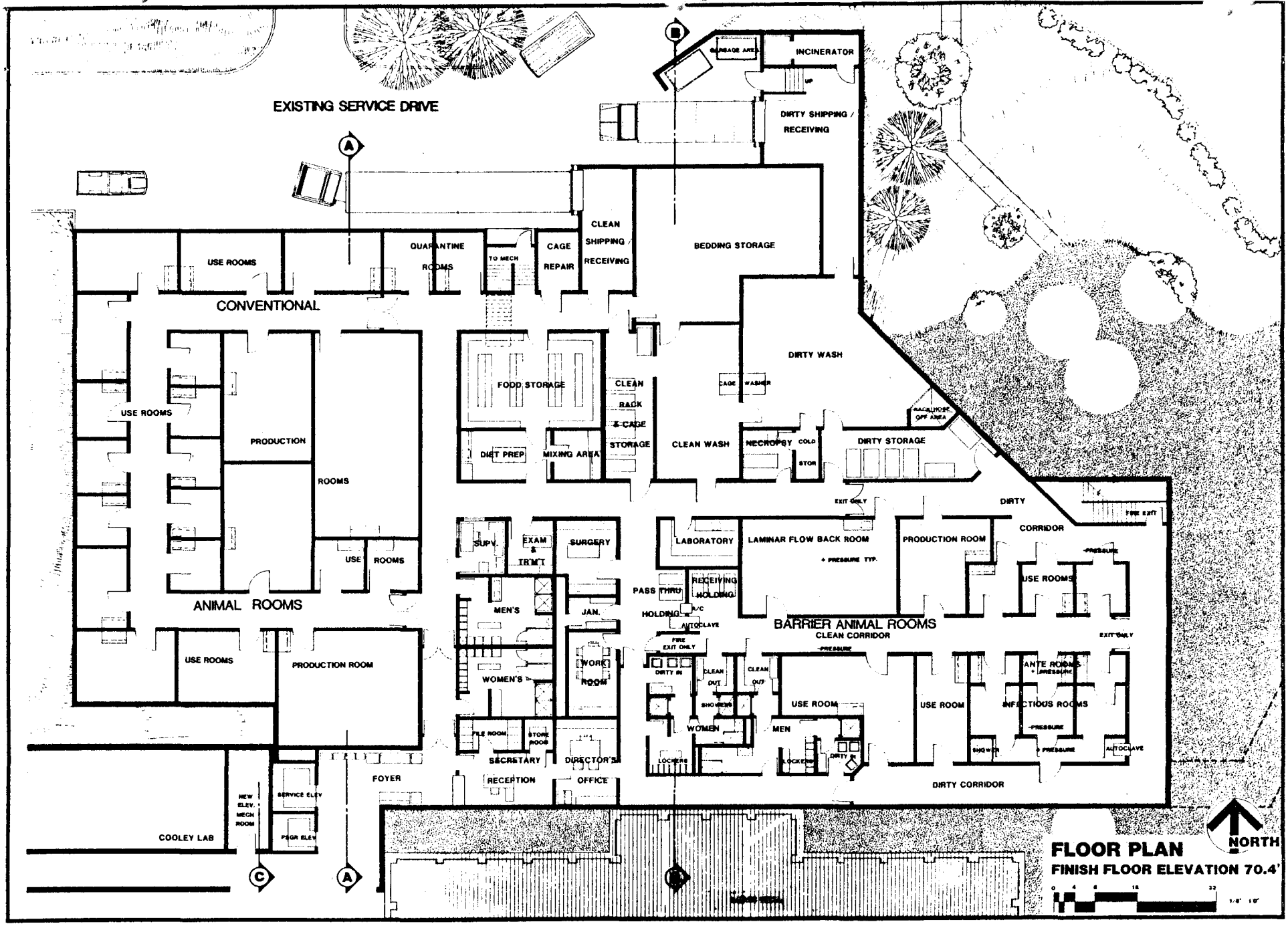
2



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EXPERIMENTAL ANIMAL FACILITY

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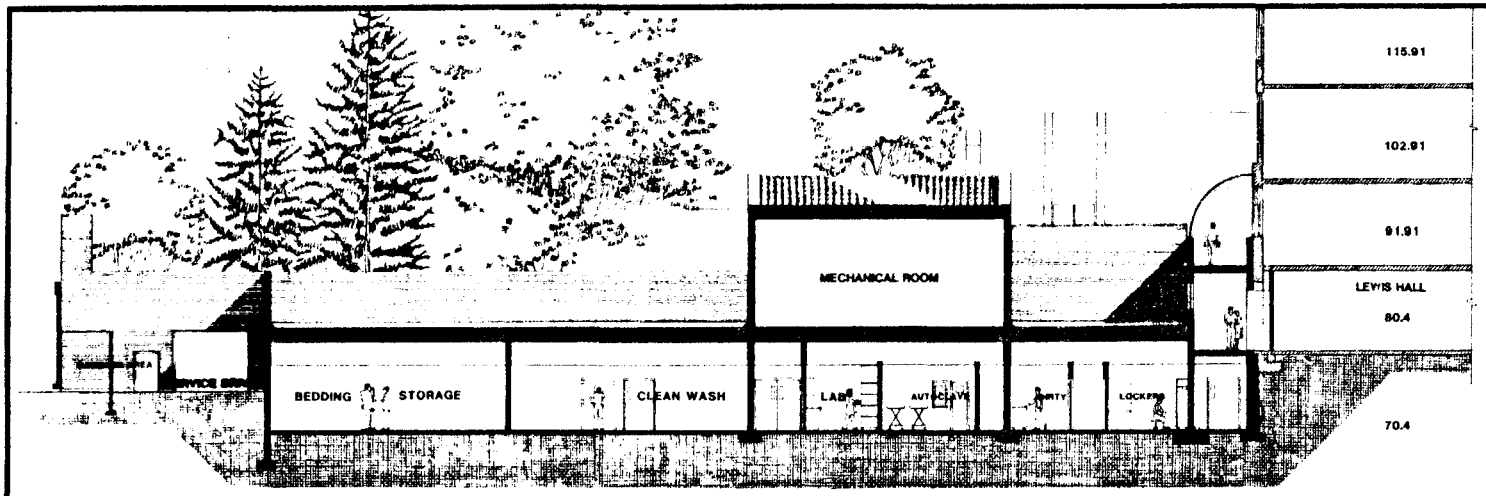
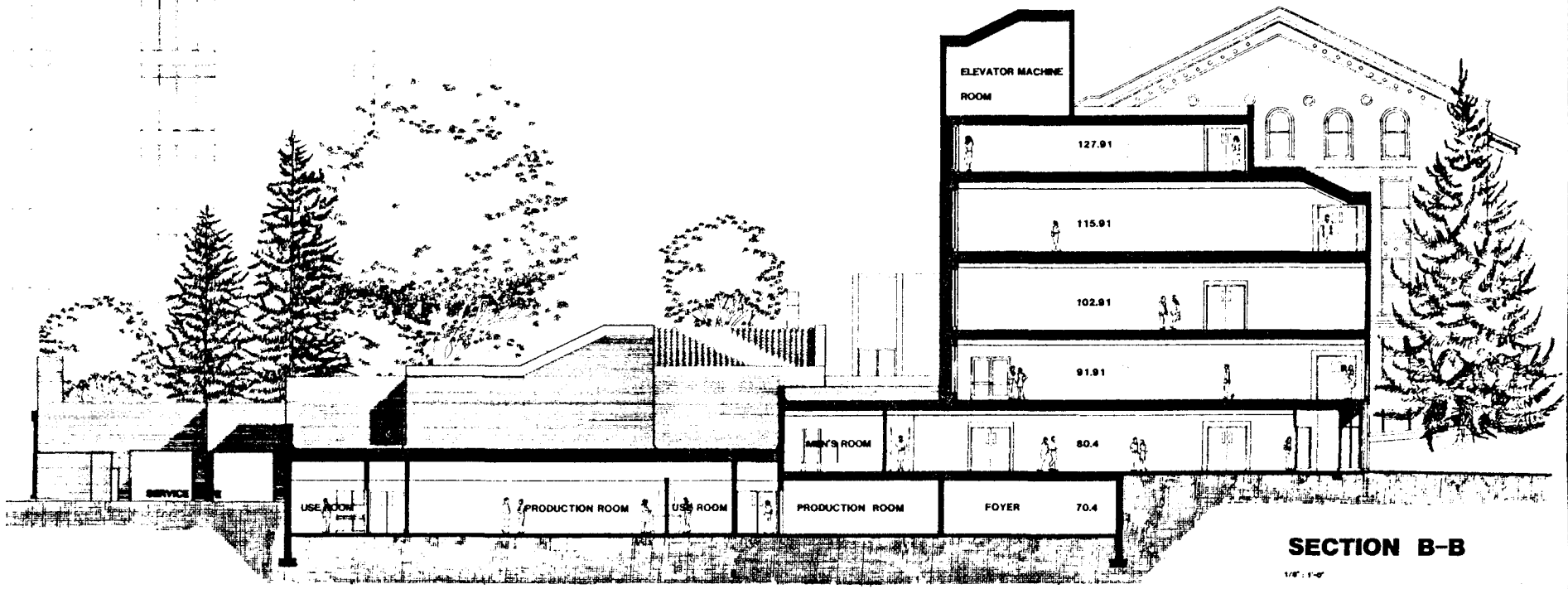
4



SECTION A-A



SECTION B-B

EXPERIMENTAL ANIMAL FACILITY

EHDD ARCHITECTS

5

Testimony Offered in Support HB 843
by
John W. Jutila
Vice President for Research

The Laboratory Animal Welfare Act of 1966 and its amendments insist that those institutions employing laboratory animals must provide resources for their care and maintenance according to the standards defined by the National Institutes of Health (DHHS) and the U.S. Department of Agriculture. Both agencies are charged with the responsibility of monitoring and policing animal care in those institutions receiving Federal funding.

Inspections conducted by USDA veterinarians have revealed deficiencies in animal care and maintenance that can be attributed almost entirely to insufficient or inadequate space for experimental animals. The specific nature of these deficiencies include the following:

1. There are 15 separate animal facilities each having its own sanitizing, cleaning, storage, isolation and environmental problems contributing to a duplication of effort and resources.
2. Environmental factors (light, temperature, humidity) cannot be properly controlled.
3. Various animal species cannot be housed separately to avoid cross infection.
4. Quarantine facilities for newly acquired animals are not available.
5. There are no cleaning and sterilizing facilities capable of handling (rabbit sized) animal cages.
6. There are no containment rooms or facilities to house infected animals or animals given genetically engineered organisms.
7. There are no satisfactory facilities to house unique strains of animals such as germfree, pathogenfree or mutant forms having immune deficiencies.

The lack of "special" facilities has moved MSU away from a position of leadership and eminence with respect to the development and maintenance of unique life forms. In 1964 Dr. Norman Reed and I obtained, and maintained with great effort, the first germfree mice in the region. Later in 1979 we successfully reared a mutant mouse, the nude mouse, for the first time in the U.S. Many of the current colonies of nude mice in the U.S. and the world received breeding stock from our laboratory. Because of its severe immune deficiency, contributing to lethal infections early in life, it proved to be difficult to rear and maintain and only through great energy and effort were we able to raise sufficient numbers for experimental work and export to other laboratories. Because of the deterioration of animal facilities and great expense of caring for animals under these conditions, production has decreased significantly and their use in research declined accordingly. Similar, but less harmful, circumstances surround our attempts to rear conventional mice and more rugged animal types.

In order to insure the highest level of productivity and yields of reliable data from healthy animals, a centralized laboratory animal facility is essential to our research and instructional effort in the agricultural and health sciences. Without it, the research effort suffers, the State suffers, and good science is replaced by a pedestrian activity having no value.

Exhibit D

SUMMARY: LABORATORY ANIMAL FACILITY
Montana State University

INTRODUCTION

The Laboratory Animal Welfare Act of 1966 and its amendments insist that those institutions employing laboratory animals must provide resources for their care and maintenance according to the standards defined by the National Institute of Health (DHEW) and the U. S. Department of Agriculture. Both agencies are charged with the responsibility of monitoring and policing animal care in those institutions receiving federal funding.

Montana State University conducts research in a variety of biomedical and agriculture science areas in which experimental animals are employed. At the present time laboratory animals are used in over $2 million worth of federally funded research and between 20 and 25 principal investigators are involved. This research enterprise is one of the largest and best in the northern Rocky Mountain area. In addition, laboratory animals are an essential component of the hands-on learning experiences in Agriculture, Nursing, Medicine, Veterinary Science, Biology and Home Economics. It is the responsibility of the institution and its administration to provide resources that insure optimal conditions and care for these animals.

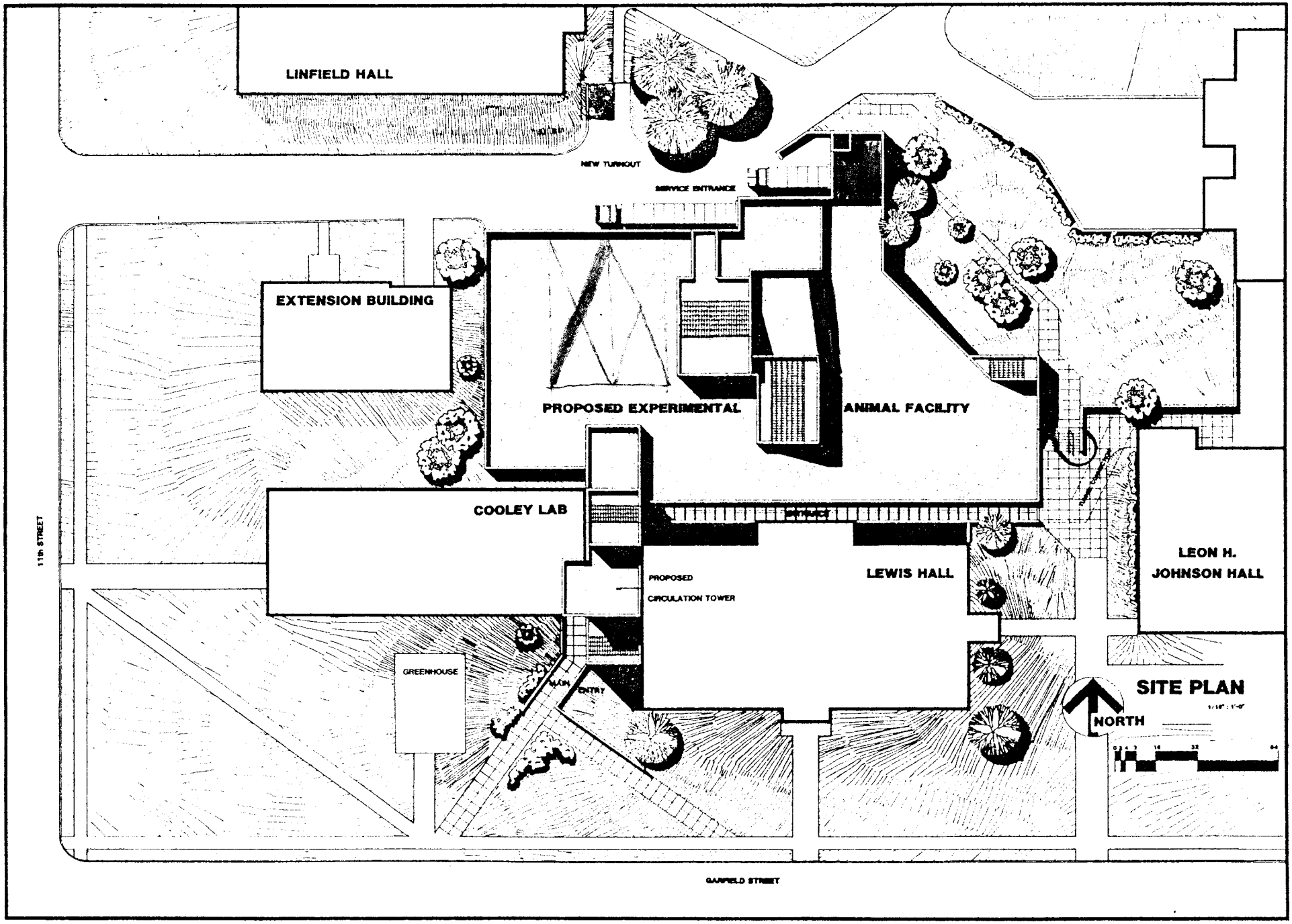
REQUEST

Recent assessments of the facilities used to house laboratory animals at Montana State University can be summarized by quotations from Dr. George Hoffman, Regional Animal Care Specialist, U. S. Department of Agriculture, and by the Accreditation Site Visit Team from the Northwest Association of Schools and Colleges. Dr. Hoffman's letter of February 5, 1979, says in part, "Montana State University does not have adequate animal cages for research, nor are their facilities adequate to properly clean and sanitize present equipment". Dr. Hoffman continues, "NIH will be notified of the violations being filed against Montana State University with recommendation to discontinue NIH monies and stop immediately further grants to Montana State University."

The Northwest Association Accreditation Team stated in November, 1980, "the need of this facility was reported to the Commission in 1970 as 'urgent'. In 1980 it simply is not enough to hope it will be funded next year. Montana State University should provide proper facilities or get rid of the animals now inadequately housed."

The selection of an architect and preliminary plans were authorized in 1980. Construction of an appropriate central laboratory animal facility is estimated to cost $4.203 million.

Exhibit E



EXPERIMENTAL ANIMAL FACILITY

MONTANA STATE UNIVERSITY

EFG ARCHITECTS

1

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47TH LEGISLATIVE SESSION

JOINT APPROPRIATIONS SUBCOMMITTEE ON
LONG RANGE BUILDING

COMMITTEE MEMBERS

Representative Jack K. Moore, Chairman
Representative Francis Bardanouve
Representative Gene Donaldson
Representative Burt Hurwitz
Representative Rex Manuel

Senator Mark Etchart
Senator Jack Haffey
Senator Bill Thomas
Senator Matt Himsl

COMMITTEE SECRETARY

Mitzie Grover

* *

GENERAL INDEX

ROLL CALL

LONG RANGE BUILDING COMMITTEE

47 LEGISLATIVE SESSION, 19 81

Name	Date 1/ 27	2/ 4	2/ 7	2/ 10	2/ 14	2/ 17	2/ 21	3/ 3	3/ 11	3/ 12	3/ 14	3/ 18	3/ 19	3/ 20
REP. FRANCIS BARDANOUVE	X	X	X	X	X	X	X	X	X	A	X	A	X	X
REP. GENE DONALDSON	X	X	X	X	X	A	X	X	A	X	E	X	X	X
SEN. MARK ETCHART	E	X	X	X	E	X	X	X	E	E	E	E	E	E
SEN. JACK HAFFEY	X	X	X	X	X	A	X	X	A	A	X	X	X	X
SEN. MATT HIMSL	X	X	X	X	A	A	A	X	X	X	X	A	X	A
REP. BURT HURWITZ	X	X	X	A	X	X	X	E	X	A	X	X	X	X
REP. JACK MOORE	X	X	X	X	A	X	X	X	X	X	X	X	X	X
REP. REX MANUEL	X	X	X	X	X	X	X	X	X	X	X	X	X	X
SEN. BILL THOMAS	X	X	X	X	X	A	X	X	X	X	X	X	A	X

ROLL CALL

LONG RANGE BUILDING COMMITTEE

47 LEGISLATIVE SESSION, 19 81

Name	Date 3/ 20	3/ 23	3/ 24	3/ 25	3/ 26	3/ 27	3/ 28	3/ 30	3/ 31	4/ 1	4/ 2	4/ 3	4/ 4	4/ 6	4/ 7	4/ 4
REP. FRANCIS BARDANOUVE	X	X	X	E	X	X	X	X	X	X	X	X	X	X	X	
REP. GENE DONALDSON	A	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
SEN. MARK ETCHART	X	E	X	X	E	E	E	E	E	E	E	X	E	E	X	
SEN. JACK HAFFEY	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
SEN. MATT HIMSL	X	E	E	E	E	E	A	X	X	X	X	X	X	X	X	
REP. BURT HURWITZ	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
REP. JACK MOORE	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
REP. REX MANUEL	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
SEN. BILL THOMAS	A	X	X	X	X	X	E	A	A	X	E	X	X	X	X	

	4/4	4/7 DNRC BLDG.	4/7 MSDB COTT.	4/7 BUTTE VO_TEC	4/7 EMC CISEL	4/7 CHILD UNIT	4/7 HB 497	4/7 HB 497	4/8 VT, HM DO NOT	4/8 U M F, ART	4/8 MSDB GYM	4/8 MSU A, LAB	4/8 CHILD U, AME	4/8 CHILD UNIT DO PASS	4/8 CHILD UNIT ~~DO NOT~~ PASS	4/8 MTN VIEW	4/8 M.TEC EQUIP	4/8 HB 841	4/8 HB 857	4/8 HB 478
EP, BARDANOUVE	N	Y	Y	Y	Y	Y	N	Y	Y	Y	N	Y	Y	Y	N	Y	Y	Amend Y	N	N
EP, DONALDSON	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	N	N	Y	Y	Y	Y	Y	Y
EN, ETCHART	E	N	Y	Y	Y	N	A	N	N	Y	Y	Y	N	N	Y	N	N	N	N	Y
EN, HAFFEY	E	Y	Y	Y	Y	Y	A	N	Y	Y	Y	Y	N	Y	N	Y	N	Y	Y	N
EN, HIMSL	E	A	Y	Y	Y	N	A	A	N	A	A	A	Y	N	Y	A	A	A	A	A
EP, HURWITZ	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	N	N	Y	Y	Y	Y	Y	Y
EP, MOORE	N	N	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	N	N	Y	Y	N	Y	Y	Y
EP, MANUEL	N	N	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	N	Y	N	Y	N	Y	Y	N
EN, THOMAS	N	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	N	N	N	Y	N	Y	Y	Y
	4/14 CHILD	4/14 CENTER	4/14																	
REP. BARDANOUVE	Y	N	Y																	
REP. DONALDSON	Y	Y	Y																	
SEN. ETCHART	N	Y	N																	
SEN. HAFFEY	Y	N	Y																	
SEN. HIMSL	E	E	E																	
REP. HURWITZ	Y	Y	Y																	
REP. MOORE	N	Y	Y																	
REP. MANUEL	Y	N	Y																	
REP. THOMAS	Y	Y	Y																	