

MINUTES OF THE JUDICIARY COMMITTEE  
January 25, 1983

The meeting of the House Judiciary Committee was called to order by Chairman Dave Brown at 8:00 a.m. in Room 224A of the Capitol. All members were present. Brenda Desmond, Legislative Council, was also present.

HOUSE BILL 278

REP. KEMMIS, sponsor, stated this bill will prohibit the issuance of a restricted probationary driver's license to any person whose license has been suspended for conviction of driving under the influence of alcohol or drugs. The sponsor was concerned that the committee consider the general problem of drunk driving. Action has been taken by a number of states. Montana needs a clear policy that every citizen knows. The first deterrent Montana has embarked on in this area is mandatory jail time. People realize that if they are caught driving while under the influence their license will be taken away for awhile. That is a better deterrent than spending time in jail. While there is a provision for suspension, there is also a problem because of the issuance of probationary licenses. If the citizen knows he will be able to obtain a probationary license the deterrence effect will be lost. We must tell people if they drive while intoxicated, they will lose their license. If the citizen has difficulty getting to work because of this, that is his problem and not ours. Many people want to work, but we will not make it easy for them to get to work just because they were convicted of DUI and need a license.

JOHN HOLTER, Montanans Against Drunk Drivers (MADD), was in support of the bill. According to the staff psychologist at the state prison, the strictest punishment the first time an offense is done is the most effective. It would make a person think twice if he knew he could not drive for six months if caught driving while under the influence.

MICKEY NELSON, Coroners Office, stated he was a proponent of anything that would help eliminate drunk driving.

MARY DOUBELS, MADD, was also in support of the bill. She felt that a publicity campaign should be done statewide detailing penalties for driving drunk. Driving is a privilege with responsibilities. EXHIBIT A.

MARC RACICOT, County Attorneys, was in favor of the bill. He did have a few concerns, however. There are 4,000 DUI's (driving while intoxicated) charges each year. Approximately 75% of those people receive probationary licenses. These are

given out mainly because the person has to get to work to stay employed. If the burden is shifted to the counties, it will then be the county attorney's responsibility to prosecute. Keeping track of who drives is a large recordkeeping process. He was concerned it may distort the alcohol offense recordkeeping process because it might replace plea bargaining with charge bargaining.

JULIE FASBENDER, Associated Students of the University of Montana, was in favor of the bill. FOSBENDER stated they would rather see stricter penalties placed on drunk drivers than removing alcohol from a certain age group.

LEE PURDY, Associated Students of Montana State University, was in support of House Bill 278.

JOEL HARDY, Montana Colleges, was in support of the bill.

SHARON FINNEY, Montana PTA, was in support of the bill.

There were no further proponents.

There were no opponents.

In closing, REP. KEMMIS stated the reason there were no opponents to the bill is because the drunk drivers are not well organized.

REP. KEMMIS stated Marc Racicot's concerns need to be considered. With mandatory sentencing we run the risk of putting the burden on the prosecutors. If the people of Montana want to get this message across, however, the county attorneys will abide by it.

REP. ADDY asked if there were any figures available indicating how often jobs have been lost as a result of workers having their license suspended. It is not known. REP. KEMMIS felt in most instances, there are other means available to get to work. It is the person's own fault if he got himself in that situation.

REP. SPAETH asked if by taking their driver's license away, would that keep the drunk driver off the road. REP. KEMMIS could not guarantee that, but the penalties for driving without a license are even higher.

The hearing on House Bill 278 closed.

HOUSE BILLS 194 and 195

REP. SWIFT, sponsor of the bills, stated that these bills are to submit to the qualified electors of Montana an amendment to Article II, Section 14 of the Montana Constitution raising from 19 to 21 the maximum age that may be established for the consumption or possession of alcoholic beverages. In order for this law to be established, both bills must be passed as one of the bills deals with a constitutional change, and the other with a statutory change.

REP. SWIFT stated he is sponsoring the bills based on problems in his district. A task force in his community was formed to evaluate the problem of underage youths drinking. It was determined that students in the Hamilton schools were using alcohol twice a week. More than 25-30% of the seniors and juniors were using alcohol five to seven times a week. REP. SWIFT noted that not all the students fall in to this category. It is however, a severe problem. The students themselves have informed the task force that 19 year olds were supplying the underage youth with the beverages. With the age moved up to 21, there would be a two year break period, and some improvement would probably result in underage youth not drinking. This will not solve the entire problem.

REP. SWIFT stated he worked with JAN REAGOR, Director of the Intermountain Surveys. REAGOR conducted 578 telephone interviews compiled from a random sample of registered voters in the population of 19 selected counties. Results from the survey indicate that 62% of the people in the 19 counties are in favor of raising the drinking age to 21.

When the voting age was changed to 18, 29 states lowered their drinking age to 18. In 1979 many of those states changed the age to 19. Today 16 of those states have returned to age 21. In the age group of 16-24 40% of car accidents involve alcohol. REP. SWIFT stated that drinking at a young age without experience and maturity is a nightmare.

REP. SWIFT met with a group of high school students recently. He told them he was not trying to penalize them. He challenged them to be part of the solution and not part of the problem. He stated they will have 1 1/2 years to change the statistics. He felt they should get involved with the election process. The bills are referendums, so everyone will be involved. The problem is not only in Montana, but nationwide.

REP. SWIFT gave the committee EXHIBITS B through E.

JAN REAGOR, Director Intermountain Surveys, was a proponent of the bill. REAGOR stated mischievous drinking is done in junior high. She approached her legislator, REP. FABREGA, with a poll of 300, which resulted in people wanting the drinking age at 21. She then found out that REP. SWIFT would be introducing this type of legislation. She then conducted a larger poll and discovered that the people of Montana are concerned. EXHIBIT F.

REAGOR paid for the poll herself. She also noted she has a 20 year old friend who was paralyzed from the neck down in an alcohol-related accident.

JOHN HOLTER, Montanans Against Drunk Drivers (MADD), was in support of the bills. EXHIBITS G and H.

MAYNARD A. OLSON, OPI, was in favor of the bills. He stated that educators never agreed with the lowering of the drinking age to 18. He has often wondered who benefits - the student, parent or educational system.

MARY ANN HOFFMAN was in favor of the passage of the bills. HOFFMAN read testimony from EXHIBIT I.

TIM PENTECOST was in favor of the bill. However, PENTECOST felt that young men and women serving in the armed forces should be allowed to drink at age 18 once they have enlisted. PENTECOST noted he enlisted in the service at 18 and went to Vietnam. When he returned at age 20 he was not legally old enough to drink in a bar. If a person is old enough to defend his country he should be able to sit in a saloon for a drink. PENTECOST felt that if a valid military card is possessed, that person should be allowed to drink.

SHERRY DAVIS, MADD, was in favor of the bill. DAVIS noted she has worked with a chemical abuse program. There is a problem in the 7-8-9th grades, as they have friends around 19 years of age supplying them with the alcohol.

LEE PURDY, Associated Students of Montana State University, was in favor of the bill. He stated studies have suggested the need and support for a 21 year old drinking age.

WAYNE BUCHANAN, Montana School Board Associations was in favor of the bill.

MARY E. DOUBELS supported the bills. Responsibility comes along with a certain age.

MICKEY NELSON, Coroner Office, also supported the bill. The suicide rate is high in Lewis & Clark County. Montana is the seventh highest state in suicide deaths. Alcohol is involved in approximately 1/3 of those deaths. Teenagers when drinking have been known to commit suicide by trying to do things such as "climb buildings".

STEVE KING, Shodair Chemical Treatment Counseling, was in favor of the bills. In the age group 15 to 24, drivers under 20 constitute less than 8% of the driving population. Twenty-five percent of all drunk driving collisions are in this age bracket. The U.S. Secretary of Health and Human Services has said that alcoholic-drug abuse has reached such an alarming rate that if alcoholism is a sickness then that epidemic is stalking today's youth.

SHARON FINNEY, Montana Congress of Parents and Teachers, was in favor of the bill. She read from EXHIBIT J.

COLONEL LANDON, Montana Highway Patrol, stated he was in favor of the bills. There is a problem with youths ages 14 to 21 involved in fatal accidents on the highways while driving.

There were no further proponents.

DAVID BREWER was opposed to the bills. BREWER agreed there is a problem. He interviewed 118 people on this matter. The statistics he came up with are shown as EXHIBIT K. Of those polled, 51 people (43%) felt the age should be increased; 64 (55%) were against it and 2 (2%) were undecided. BREWER felt that if the age limit was raised to 25 or 30 the young people would still be able to obtain the liquor from someone. When he was 16 he was able to get drinks in bars.

The problem cannot be solved in a "bandaid" law. Parents should be responsible for their kids. Perhaps a parent should be jailed if his child is breaking the drinking law. Make the fines stricter. People who are supplying the alcohol to underage persons should be punished more than the current law states. At 18 years of age, a person is able to go into the military, get married, pay taxes, etc. BREWER also gave the committee comments as on EXHIBIT L.

LARRY BREWER was also against the bills. L. BREWER stated a youth can work in a Montana bar at the age of 18. In 1968 Madison v. New York the drinking age had to be changed back to 18 because it was unconstitutional. Approximately 2,000 jobs would be effected if the drinking age was 21. College

students need to work to pay for schooling expenses. If this law passes, other laws should be changed so there is not a conflict.

There were no further opponents.

In closing REP. SWIFT stated that if these bills are "bandaid" bills, they will help us for 1 1/2 years discourage accidents, the state will gain a lot. REP. SWIFT would hate to see the legislature make exceptions to one particular group such as the military. He realizes there may be some infraction of this law by people in the military. REP. SWIFT questioned the validity of DAVID BREWER's poll. The present statute provides for people under age to handle beverages in the line of work. He did not feel that would be a big impact.

DAVID BREWER stated that from his class studies that the maturity of the average individual today is approximately 25-26. Why not raise the drinking age that high if you are going to base statistics on maturity levels. Statistics show that people 17 and under are showing up more at alcohol recovery facilities. The committee should look at that as a positive occurrence rather than a negative one. The media has given this more coverage than ever before. There must have been some type of abuse with alcohol or drugs when each committee member was in high school also.

PENECOST stated that Article 2, Section 35 of the Montana Constitution states that service men and women may be given special consideration as determined by the legislature. Since the law is already there, the legislature should take care of the service men and women as they take care of the people.

REP. DARKO asked how many 19 year olds are still in high school. No one knew.

REP. VELEBER asked if the task force in Hamilton looked at any other alternatives besides this legislation. REP. SWIFT replied no. The task force came up with a uniform approach in how they would handle the situation. They found that judges and law enforcement officials look at the problem differently.

It was stated by one witness that just because a youth is under 21, does not mean he lives at home. Therefore, why make the parent responsible for his actions?

CHAIRMAN BROWN asked if the sponsor looked into the possibility of increasing the penalties towards people who give underage

youths alcohol. It was replied there is a mandatory sentencing presently. He felt both aspects of the law are needed.

REP. J. BROWN asked if the teenagers in the room would care to comment on the bill. JERRY HASTIE stated it would not matter if the drinking age was increased to 21 because it would still be possible for youths to obtain alcohol.

CONNIE KENNEDY stated when she was 18 she knew individuals between 19 and 25 who would buy alcohol for underage youths. She stated at 16 she drank in bars. Now that she is 19, youths are asking her to buy them alcohol, however, she has not because the police are "cracking down" on this in her hometown.

REAGOR stated that raising the limit to 21 will not completely solve the problem. It is important, however, that we get the drinking out of the junior high age group. She noted that her survey was done at her own expense. She found that a 20% drop in accident drop represented 2,400 drop in alcohol related accidents in people of this age group.

It is easier to tell when a person is 21. Some 16 year olds look like they are 18 or 19 years old. She noted her 16 year old neighbor bought a bottle of wine in the grocery store without being checked for identification.

MARY ANN HOFFMAN felt we as adults have become too permissive. We must realize that people do die from alcoholism. What adults do does make a difference as to what kids will do.

DAN MOIOUS stated has has been drinking for six years since the 7th grade. It is easy for a youth go get alcohol. He did not know if it would be harder to obtain if the age was changed to 21.

REP. BERGENE stated that many parents and guardians do not take the responsibility of their children. DAVID BREWER replied some parents expect the schools to care for the kids needs. The parents need to realize that they are parents and therefore need to be responsible.

REAGOR stated it is impossible for a parent to constantly supervise his children. She stated she and her husband do not drink, yet their son attends the chemical dependency in Great Falls.

STEVE KING stated the treatment program at Shodair is based on the family teaching aspect. Parents lose sight on how to control kids. Parents do all they can but kids still do what they choose anyway. KING felt it was a poor decision in the 1970's to lower the drinking age.

SHARON FINNEY felt there is more peer pressure on the 19 year old than the 21 year old. At 21 the person can make better decisions without being pressured.

LARRY BREWER asked about the drugs that are in the schools. We keep track of alcohol better than we keep track of drugs. STEVE HILBRY did not agree with that statement. He stated alcohol was his drug choice. Most drug abusers start with alcohol.

REP. ADDY questioned if allowing a child to drink was a form of child abuse. DAVIS agreed that this was abuse. She stated, though, that many parents cannot control their kids. Parents are not always the factor. If parents provide the alcohol to the kids that would definitely be abuse.

The hearing on House Bills 194 and 195 closed.

The committee then went into executive session.

#### EXECUTIVE SESSION

##### HOUSE BILL 191

REP. RAMIREZ moved House Bill 191 DO PASS, seconded by REP. SEIFERT. REP. RAMIREZ felt the bill was a fair proposal, however, a new fiscal note should be included.

REP. JENSEN was in support of the motion.

REP. ADDY asked how the fiscal note would impact the bill. REP. RAMIREZ replied it will make the transactions feasible.

All were in favor of the motion DO PASS.

##### HOUSE BILL 210

REP. HANNAH moved DO NOT PASS, seconded by REP. JENSEN.

REP. KEYSER spoke against the motion. He did object, however, to lines 1 and 2 on page 2 of the bill. The clerks of the treasurer's office do not like the bill but they do work for



the people. As a policy, an officer must ask to see your driver's license and registration at the time you are stopped for a traffic violation. At that time the officer should also ask for proof of insurance.

REP. HANNAH moved to strike the new language on page 1 lines 19-21, and the lines 13-15 on page 2 and to amend the title. REP. HANNAH withdrew his motion.

REP. HANNAH moved DO PASS, seconded by REP. JENSEN.

REP. KEYSER stated there would be no need for the dealer license amendment if the new language was taken out of the bill on pages 1 and 2.

REP. BERGENE moved to delete in the title "presentation of a valid insurance card for registration of a motor vehicle and"; and to strike the new language on page 1 and 2 and to renumber the sections. REP. FARRIS seconded the motion.

REP. ADDY thought that the insurance cards should not be issued until the premium is received. However, that would require a new bill, as it was not within the scope of this bill.

REP. RAMIREZ stated that is unworkable because a policy can be cancelled. If we amend the law to require proof of six months insurance, we will be putting some people in a difficult situation since they may not be able to afford to pay insurance six months in advance.

All were in favor of the amendment.

REP. SPAETH moved to amend the bill by inserting "proof of financial responsibility must be maintained with the division for one year and failure to do so shall result in suspension for the remainder of that year."

REP. HANNAH asked what the bill accomplishes. A person would be able to buy insurance for one month. He could go on and off insurance policies. REP. SPAETH replied the purpose of the bill is to take away the license for one year. If financial responsibility is proven, they could get the license back.

REP. RAMIREZ stated that if a person has their license suspended, he has 20 days to obtain insurance. Once it is suspended, can that person even get insurance? It was felt

insurance could be obtained since the insurance is on the vehicle and not the person.

It was moved by REP. SPAETH to strike "and thereafter maintains with" on page 4, line 4; and to insert "to". All were in favor of the amendment.

REP. ADDY moved DO PASS AS AMENDED, seconded by REP. DARKO.

REP. JENSEN stated this type of law violates some right to privacy. REP. RAMIREZ stated that driving is a privilege and not a right. REP. JENSEN stated proof of insurance and who carries it is a big factor. Is there a compelling interest to do more than swear yes, the person has insurance?

REP. ADDY felt there is a legitimate state interest and that it does not need to be a compelling interest.

REP. RAMIREZ stated if it had to be a compelling interest it should be stated in the bill.

All were in favor of the motion DO PASS AS AMENDED.

REP. SEIFERT moved the committee draft a letter to the Motor Vehicle Department to change the wording on the form, when the forms they have already are depleted, to state there is a penalty not to exceed \$200 if insurance is not valid or if the statements made on the form are not true. Most people probably do not know what the cite number on the form presently means. REP. KEYSER seconded the motion.

All members were in favor of the motion.

#### HOUSE BILL 257

REP. RAMIREZ moved DO PASS, seconded by REP. JENSEN.

REP. RAMIREZ moved the committee adopt the amendments as presented in testimony. All were in favor of the motion.

REP. KEYSER moved DO PASS AS AMENDED.

REP. RAMIREZ stated that sections 24 and 25 are sections that are already in the Model Business Corporations Act and thus unnecessary. It was moved by REP. HANNAH to strike those sections from the bill, seconded by REP. J. BROWN.

REP. EUDAILY asked if that would slow the process down in order to get information. REP. RAMIREZ replied it is not essential to have those sections in the bill. There are professional corporations statutes presently. This provides the corporation some advantages such as tax benefits, more flexible pension plans.

All members were in favor of striking sections 24 and 25.

REP. ADDY moved DO PASS AS AMENDED, seconded by REP. EUDAILY.

All were in favor.

#### HOUSE BILL 246

REP. KEYSER moved DO PASS, seconded by REP. HANNAH.

REP. J. BROWN wondered how the members of the Board of Pardons felt about the bill. It was replied Mr. Burgess was supportive of the bill but was unable to testify.

REP. CURTISS stated she appreciated the governor's office's remarks. However, the Board of Pardons should be a staggered board. This board should not be subject to politics.

REP. KEYSER stated the present board is a good board. They deal with a day-by-day, week-by-week life of prisoners. The board must be one of continuity. REP. RAMIREZ agreed. If a strict governor were elected, we would not want him to put three new people on the board and turn the total philosophy around.

CHAIRMAN BROWN felt the governor should be able to appoint people to boards. This, however, should not be a case of politics. Staggered terms is a good idea.

All were in favor of the motion DO PASS.

#### HOUSE BILL 130

REP. JENSEN moved DO PASS. REP. SPAETH seconded the motion. (EXHIBITS M through P are requests for a new fiscal statement on the bill.

Amendments to the bill, EXHIBIT Q, were given to the committee. EXHIBIT R is how the bill would look with the amendments. EXHIBIT S is a statement of intent.

REP. KEYSER noted that criminal manufacture and advertisement was not part of the new bill. It was stated that presently there are no imitation dangerous drugs being manufactured in the state.

REP. ADDY stated if you manufacture the drugs, you do so with the intent to sell them. REP. KEYSER felt there was a big difference having possession with intent to sell and the manufacturing of the drugs. The intent for manufacturers is to sell to pushers who then sell to the people. It does not mean that a manufacturer could not appear overnight in the state. REP. JENSEN stated the burden is to prove the intent to sell. REP. KEYSER stated the law has always treated the pusher differently than the manufacturer. One person has possession while the other makes it to be sold to the pusher.

REP. JENSEN stated in Denver stores openly sell fake drugs. That is not illegal because they specifically state these are fake drugs. REP. KEYSER stated Montana wants to make it illegal to manufacture fake drugs and to advertise them.

REP. RAMIREZ agreed. He felt that a definition about the manufacturing and advertising should be placed back in the bill.

REP. VELEBER stated many things he sells in his store might fall under this law. He was not sure what an imitation dangerous drug was for sure. It is possible to buy capsules and make your own pills.

REP. FARRIS stated these are not controlled substances. She stated if she advertises a boat that will not float, it is not possible to sue her because it does not float.

REP. KEYSER stated we cannot control advertising coming in from out of state. The advertising that originated in Montana could be controlled. REP. FARRIS felt people should not be harrassed for doing a legal thing. REP. FARRIS gave an example of an officer who arrested a woman for having dangerous drugs when she actually had in her possession vaginal suppositories. REP. KEYSER replied that still does not stop us as a state from initiating legislation such as this.

REP. RAMIREZ moved that the advertising and manufacturing sections be replaced in the bill.

REP. SPAETH opposed the reinserting of the manufacturing section.

REP. ADDY agreed as it would be hard to prove the manufacturing of the drugs. REP. HANNAH was against the SPAETH comment. He asked what harm is there to have a statute that states it is illegal to manufacture this in Montana. If a manufacturer is found there is a law that would be available for the courts. REP. JENSEN felt that the committee should not pass a bill they know will not be enforceable. REP. RAMIREZ agreed but felt this was enforceable.

The amendment to reinsert advertisement section of the bill was voted on. All members were in favor of the motion except REP. FARRIS.

The members then voted on the amendment by REP. RAMIREZ to insert the definition and the section of criminal possession of imitation dangerous drug with intent to sell. A roll call vote was taken. Those voting yes were: BERGENE, CURTISS, EUDAILY, HANNAH, IVERSON, KEYSER, RAMIREZ, and SEIFERT. Those voting no were: D. BROWN, ADDY, J. BROWN, DARKO, FARRIS, JENSEN, KENNERLY, SCHYE, SPAETH, and VELEBER. The amendment failed 10 to 8.

REP. JENSEN moved DO PASS AS AMENDED. All were in favor.

REP. EUDAILY asked why school administrators are included in the statement of intent. It was replied the intent was to describe the type of people with knowledge that could prevent this.

REP. ADDY moved to substitute law enforcement in the place of school administrators. All were in favor of the motion. REP. JENSEN moved the statement of intent be adopted as amended.

All were in favor.

#### HOUSE BILL 139

REP. EUDAILY moved DO PASS, seconded by REP. KEYSER.

REP. EUDAILY moved following owner the words "committed the" be struck and insert "was the driver of the vehicle at the time of the alleged".

Line 15, page 1 strike "person" and insert "individual".

REP. RAMIREZ stated that REP. KEMMIS did have a valid objection on the House Floor when there was a presumption of

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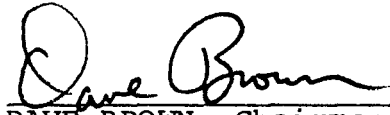
guilt instead of a presumption of driving the vehicle. The presumption of innocence is now preserved.

All were in favor of the amendments.

REP. EUDAILY moved DO PASS AS AMENDED, seconded by REP. KEYSER.

The motion carried.

The meeting adjourned at 11:30 a.m.



DAVE BROWN, Chairman



Maureen Richardson, Secretary

# STANDING COMMITTEE REPORT

January 25,

1983

19

MR. **SPEAKER:** .....

## JUDICIARY

We, your committee on .....

having had under consideration ..... **HOUSE** Bill No. **191**

**First** reading copy ( **White** )  
color

**A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE THAT THE DIVISION OF PROPERTY IN A PROCEEDING TO TERMINATE A MARRIAGE IS CONSIDERED TO BE A DIVISION OF COMMON OWNERSHIP INTERESTS OF THE PARTIES; AMENDING SECTION 40-4-202, MCA."**

Respectfully report as follows: That ..... **HOUSE** Bill No. **191**

DO PASS

**DAVE BROWN,** .....

Chairman.

# STANDING COMMITTEE REPORT

(1 of 2)

January 25,

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19.....

MR. **SPEAKER:**.....

## JUDICIARY

We, your committee on.....

having had under consideration..... **HOUSE** Bill No. **210**

**First** reading copy ( **White** )  
color

**A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING PRESENTATION OF A VALID INSURANCE CARD FOR REGISTRATION OF A MOTORVEHICLE AND SUSPENSION OF DRIVER'S LICENSE FOR CERTAIN OFFENSES; AMENDING SECTIONS 61-6-302 AND 61-6-304, MCA."**

Respectfully report as follows: That..... **HOUSE** Bill No. **210**

**BE AMENDED AS FOLLOWS:**

1. Title, line 4.  
Following: "REQUIRING"  
Strike: "PRESENTATION OF A VALID INSURANCE CARD FOR REGISTRATION OF A MOTOR VEHICLE AND"
2. Title, line 7.  
Following: "AMENDING"  
Strike: "SECTIONS"  
Insert: "SECTION"
3. Title, line 7.  
Following: "SECTIONS"  
Strike: "61-6-302 AND"
4. Page 1, following line 9.  
Strike: Section 1 in its entirety  
Renummer subsequent section

**FINISH**  
DO PASS

**DAVE BROWN,**.....

Chairman.



5. Page 4, line 4. and line 5.

Following: "gives"

Strike: "~~and thereafter maintains with~~"

Insert: "to"

6. Page 4, line 5.

Following: "division"

Strike: "for one year"

7. Page 4, line 6.

Following: "61-6-132."

Insert: "Proof of financial responsibility must be maintained with the division for one year and failure to do so shall result in suspension for the remainder of that year."

**AND AS AMENDED**  
**DO PASS**

STANDING COMMITTEE REPORT (1 of 2)

January 25,

MR. SPEAKER:

We, your committee on JUDICIARY

having had under consideration HOUSE Bill No. 257

First reading copy (White color)

A BILL FOR AN ACT ENTITLED: "AN ACT TO ADOPT THE AMERICAN BAR ASSOCIATION'S MODEL ACT ON PROFESSIONAL CORPORATIONS AND REPEAL THE LAWS REGULATING CORPORATIONS THAT RENDER PROFESSIONAL SERVICES; REPEALING SECTIONS 35-4-101 THROUGH 35-4-107, 35-4-201 THROUGH 35-4-204, AND 35-4-211 THROUGH 35-4-216, MCA."

Respectfully report as follows: That HOUSE Bill No. 257

BE AMENDED AS FOLLOWS:

1. Page 7, line 8.

Following: "to"

Insert: "any assumed business name, limited partnership name, trademark, or service mark registered or reserved with the secretary of state or to"

2. Page 15, line 22.

Following: "involuntarily"

Strike: remainder of line 22, lines 23-25 on page 15 and lines 1-10 through "state" on line 10, page 16

Insert: "as provided in Title 35, Chapter 6"

3. Page 16, line 24.

Following: "is"

Strike: "entitled to"

Insert: "required to obtain"

XXXXXX DO PASS

DAVE BROWN,

Chairman.

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4. Page 18, following line 6.  
Strike: Subsection (2) in its entirety  
Renumber subsequent subsection

5. Page 19, following line 3.  
Strike: Sections 24 and 25 in their entirety  
Renumber subsequent sections

**AND AS AMENDED**  
**DO PASS**

# STANDING COMMITTEE REPORT

January 25, 1983

MR. SPEAKER

We, your committee on JUDICIARY

having had under consideration HOUSE Bill No. 246

First reading copy ( White )  
color

**A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE FOR STAGGERED  
TERMS FOR MEMBERS OF THE BOARD OF PARDONS; AMENDING SECTION  
2-15-2302, MCA."**

Respectfully report as follows: That HOUSE Bill No. 246

DO PASS

DAVE BROWN, Chairman.

# STANDING COMMITTEE REPORT

(1 of 5)

January 25, 1983

**SPEAKER:**  
MR. ....

We, your committee on **JUDICIARY** .....

having had under consideration ..... **HOUSE** Bill No. **130**

First reading copy ( White )  
Color

**A BILL FOR AN ACT ENTITLED: "AN ACT TO PREVENT THE MANUFACTURE, POSSESSION, SALE, AND ADVERTISEMENT OF IMITATION DANGEROUS DRUGS; AUTHORIZING THE BOARD OF PHARMACY TO ADOPT RULES; CREATING EXEMPTIONS; AND PROVIDING PENALTIES; AMENDING SECTION 45-9-202, MCA."**

Respectfully report as follows: That ..... **HOUSE** Bill No. **130**

**BE AMENDED AS FOLLOWS:**

1. Title, following line 4.  
Strike: "MANUFACTURE, POSSESSION,"
2. Title, line 5.  
Following: "SALE,"  
Insert: "POSSESSION FOR SALE"
3. Title, line 6.  
Following: "OF"  
Strike: "PHARMACY"  
Insert: "PHARMACISTS"

~~DO NOT~~

4. Page 1, line 12.  
Following: "through"  
Strike: "7"  
Insert: "6"

5. Page 1, line 16.  
Following: "drug,"  
Strike: "which by dosage unit features"  
Insert: "but that is expressly or impliedly represented to be a dangerous drug or to simulate the effect of a dangerous drug and the appearance of which"

6. Page 1, line 17  
Following: "markings,"  
Strike: "or by express or implied representation appears to be"  
Insert: "would lead a reasonable person to believe that the substance is"

7. Page 1, following line 19.  
Strike: subsection (3) in its entirety.

8. Page 1, following line 23,  
Strike: section 2 in its entirety.  
Renumber: all subsequent sections.

9. Page 2, line 17.  
Following: "drug"  
Strike: "to an adult"

10. Page 2, line 18.  
Following: "he"  
Insert: "knowingly or purposely"

11. Page 2, line 20.  
Following: "drug"  
Strike: remainder of line 20 through "older"

12. Page 2, following line 20.  
Strike: subsection (2) in its entirety.  
Renumber: subsequent subsections.

13. Page 3, line 2.  
Following: "to"  
Strike: "an adult"  
Insert: "a person 18 years of age or older"

14. Page 3, line 3.

Following: "not"

Strike: "less than 2 years or"

15. Page 3, line 4.

Following: "\$25,000"

Strike: ", except as provided in 46-18-222"

16. Page 3, line 7.

Following: "a"

Strike: "minor"

Insert: "person under the age of 18"

17. Page 3, line 8.

Following: "not"

Strike: "less than 2 years or"

18. Page 3, line 9.

Following: "\$50,000"

Strike: ", except as provided in 46-18-222"

19. Page 3, line 12.

Following: "drug"

Insert: "with purpose to sell"

20. Page 3, line 14.

Following: first "drug" on line 14

Insert: "with purpose to sell"

21. Page 3, line 14.

Following: "possesses"

Insert: "with purpose to sell"

22. Page 3, line 16.

Following: "drug"

Strike: remainder of subsection (2) in its entirety.

Insert: "with purpose to sell shall be imprisoned in the state prison for a term of not more than 5 years and may be fined not more than \$25,000."

23. Page 3, following line 24.

Strike: subsection (3) in its entirety.

24. Page 4, line 6.

Following: "he"

Insert: "knowingly or purposely"

- 25. Page 4, line 14.  
Following: "not"  
Strike: "less than 5 years or"
- 26. Page 4, line 16.  
Strike: section 6 in its entirety.  
Renumber: All subsequent sections.
- 27. Page 5, line 2.  
Following: "[Sections"  
Strike: "3 and"  
Insert: "2 through"
- 28. Page 5, line 5.  
Following: "possess"  
Insert: "with purpose to sell"
- 29. Page 5, following line 5.  
Strike: subsection (b) in its entirety.  
Renumber: subsequent subsections
- 30. Page 5, line 10.  
Following: "possessing"  
Insert: "with purpose to sell"
- 31. Page 5, line 14.  
Following: "who"  
Strike: "manufacturers"
- 32. Page 5, following line 14.  
Strike: "distributes,"
- 33. Page 5, line 15.  
Following: "possesses"  
Insert: "with purpose to sell"
- 34. Page 5, line 21.  
Following: "possession"  
Insert: "with purpose to sell"
- 35. Page 6, line 2.  
Following: "drugs"  
Strike: "or"  
Insert: ", criminal sale of"



36. Page 6, line 3.

Following: "drugs,"

Insert: "criminal possession of dangerous drugs with purpose to sell"

37. Page 6, line 12.

Following: "through"

Strike: "7"

Insert: "6"

38. Page 6, line 14.

Following: "through"

Strike: "7"

Insert: "6"

**AND AS AMENDED**

**DO PASS**

MR SPEAKER:

WE YOUR COMMITTEE ON JUDICIARY, HAVING HAD UNDER CONSIDERATION HOUSE BILL 130, FIRST READING COPY (WHITE), ATTACH THE FOLLOWING STATEMENT OF INTENT:

STATEMENT OF INTENT

HOUSE BILL no. 130

A statement of intent is required for this bill because it gives the Board of Pharmacy the power to adopt rules authorizing persons to possess or sell imitation dangerous drugs.

It is the intention of the Legislature that the Board should, as it determines necessary, adopt rules authorizing such persons as law enforcement officers to possess or sell imitation dangerous drugs while acting within the scope of their employment. The rules should authorize possession or sale only by those persons who have bona fide teaching, testing, or other functions and should not purport to excuse otherwise criminal activity of any type.

# STANDING COMMITTEE REPORT

January 25,

83

19

**SPEAKER:**

MR. ....

**JUDICIARY**

We, your committee on .....

**HOUSE**

**139**

having had under consideration ..... Bill No. ....

First, reading copy ( White )  
color

**A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE THAT WHENEVER A VEHICLE IS WITNESSED ILLEGALLY PASSING A SCHOOL BUS, THERE IS A REBUTTABLE PRESUMPTION THAT THE REGISTERED OWNER COMMITTED THE VIOLATION."**

**HOUSE**

**139**

Respectfully report as follows: That ..... Bill No. ....

**BE AMENDED AS FOLLOWS:**

1. Title, line 7.  
Following: "OWNER"  
Strike: "COMMITTED THE"  
Insert: "WAS THE DRIVER OF THE VEHICLE AT THE TIME OF THE ALLEGED"
2. Page 1, line 15.  
Following: "the"  
Strike: "person"  
Insert: "individual"
3. Page 1, line 16.  
Following: "registered"  
Strike: "committed the"  
Insert: "was the driver of the vehicle at the time of the alleged"

**AND AS AMENDED**

**DO PASS**

	Date: 1/25 No: HB 130 Amendment	Date: No:	Date: No:	Date: No:	Date: No:
BROWN, Dave	No				
ADDY, Kelly	No				
BERGENE, Toni	Yes				
BROWN, Jan	No				
CURTISS, Aubyn	Yes				
DAILY, Fritz	-				
DARKO, Paula	No				
EUDAILY, Ralph	Yes				
FARRIS, Carol	No				
HANNAH, Tom	Yes				
IVERSON, Dennis	Yes				
JENSEN, James	No				
KENNERLY, Roland	No				
KEYSER, Kerry	Yes				
RAMIREZ, Jack	Yes				
SCHYE, Ted	No				
SEIFERT, Carl	Yes				
SPAETH, Gary	No				
VELEBER, Dennis	No				

WITNESS STATEMENT

Name Mrs. Mary E. Doubeck Committee On Judiciary  
Address 7645 N Montana Ave Date 1/26/83  
Representing myself, friends, family MADD Support   
Bill No. HB 278 Oppose \_\_\_\_\_  
HB 194 Amend \_\_\_\_\_  
HB 195

AFTER TESTIFYING, PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

1. Driving is a privilege with responsibilities. We must have penalties/deterrents for abusing the privilege by DUI. We must protect our citizens. Strong penalties, consistently used will get the message across that we mean what we say, ----- that we do indeed care about this problem & intend to rectify it.
2. Fortunately the majority of citizens do obey the law, so let us make the law, the penalty fit the crime, show about the victims? Let's
3. not be overly concerned with problems of drivers getting to work ----- keeping a job etc. as
4. say what about the victim who lost a life?  
Please support HB 278

Itemize the main argument or points of your testimony. This will assist the committee secretary with her minutes.

Exhibit B  
HBs 194-5  
1/25/83



# Is Raising The Legal Drinking Age Warranted?

1/17/83  
[Signature]

Research on youth-related drinking and driving indicates the answer is yes.

by TERRIE L. KRIEG



Photograph courtesy of Arizona Department of Public Safety.

According to a recent *Newsweek* feature, drunk driving is a national epidemic. "More Americans have died at the hands of drunk drivers during the past few years than were killed in Vietnam."<sup>1</sup> It is estimated that at any given time one out of every 50 drivers is legally intoxicated. Of the 50,000 fatalities that occur annually on our nation's highways, approximately 50 percent are alcohol-related. Of further and even more serious consideration is the fact that 15- to 24-year-old drivers account for about 40 percent of the total alcohol-related accidents.

People, united in the tragedy wrought by driving drunks, have formed such nationwide groups as Mothers Against Drunk Drivers (MADD). As a result of this national outrage, the past legislative year witnessed a plethora of drunk driving legislation passed. Arizona, Colorado, Delaware, Florida, Massachusetts, Maryland, Missouri, and Rhode Island have instituted passage or implementation of comprehensive packages of legislation aimed at deterring the drinking driver.<sup>2</sup>

## Factors Contributing to Fatal Accidents

In the 1970s, researchers began to examine a wide range of factors thought to be related to traffic accidents. With regard to drinking and driving in particular, there are two classes of variables that assume major importance: internal individual factors and external environmental factors. Internal factors are those variables derived from each individual and include such things as

Author's note: Research assistants for this report were Dr. John Vivian and Ms. Sheri Haver.

<sup>1</sup>M. Starr et al. "The War Against Drunk Drivers," *Newsweek* (September 13, 1982), pp. 34-39.

<sup>2</sup>National Survey Council, *Policy Update* (Washington, D.C., Aug. 10, 1982).

<sup>3</sup>P.M. Hursi and S.K. Bagley, "Acute Adaptation to the Effects of Alcohol," *Quarterly Journal of Alcohol Studies* 33 (1972), pp. 356-376.

<sup>4</sup>P.M. Fishburne, H.I. Abelson, and I. Cisin, *National Survey on Drug Abuse: Main Findings 1979* (Rockville, MD: National Institute on Drug Abuse, 1979).

<sup>5</sup>R.K. Jones and K.B. Joscelyn, *Alcohol and Highway Safety 1978: A Review of the State of Knowledge*, United States Department of Transportation, NHTSA, DOT-HS 5-01217, 1978.

<sup>6</sup>H. Wechsler, *Minimum Drinking Age Laws* (D.C. Health and Co., 1980).

TERRIE L. KRIEG is currently the Assistant to the Director, Arizona Department of Public Safety, 2310 N. 20th Avenue, Phoenix, Arizona 85005. Ms. Krieg was previously supervisor of the Arizona Statistical Analysis Center for four years. Prior to that, she was the statistician for the Maricopa County Adult Probation Department. Ms. Krieg holds a B.S. degree in psychology from Northern Arizona University and is currently completing work on an M.B.A. at Arizona State University.



personality, level of maturity, perceptual capabilities, physical development, and emotional balance. These factors are qualitatively oriented and as such are very difficult to measure. External factors are defined as those variables in the driver's environment which affect his drinking and driving behavior. These factors are somewhat more quantitative and lend themselves more readily to measurement. Internal and external factors may exert influence upon a driver simultaneously. Number of vehicles on the road, weather conditions, roadway characteristics, commuting versus recreational driving, in addition to the individual's characteristics, are all contributing factors in fatal traffic accidents affecting the total general driving population. Most researchers concur however, that driver age is an extremely decisive variable in traffic accidents. Literature on youth-related drinking and driving emphasizes a strong relationship among age, alcohol consumption, and traffic accidents.

The absence of experience is most often cited<sup>3</sup> as the critical variable in the young drinking driver problem. Experience can be broken down into both driving and drinking experience. Driving inexperience is undoubtedly a contributing factor in the potential for accident involvement. Young, inexperienced drivers are dispropor-

tionately involved in both non-alcohol and alcohol-related accidents. Realization of driver competence is achieved through familiarization and practice, normally acquired with time and maturity.

In addition to learning how to drive, the young person is also learning how to drink. While alcohol consumption is not usually considered a skilled behavior, inexperience at drinking has been found by researchers to be an important determinate in alcohol-related accidents. Naïve drinkers must learn to adjust to their personal mental limitations as well as their physical tolerance for a relatively unfamiliar drug.

A recent national survey<sup>4</sup> discovered that within three driving age groups—16 and 17 year olds; 18 to 25 year olds; and 26 years and over—the highest drinking frequency occurred in the 18- to 25-year-old category. Eighteen to 25-year-olds are generally: inexperienced drivers, inexperienced drinkers, and within the most active drinking group. Combining these three factors can result in an alarming and potentially dangerous situation.

One additional variable affecting young people is contemporary Americana. Today's lifestyle is a conspicuous factor externally influencing everyone. "Weekends were made for Michelob" seems to have become the ideology of the young who are

more apt to be drinking and/or driving at night and on weekends. Traffic enforcement officials have long lamented the surge of alcohol-related accidents of Friday and Saturday nights. Research studies confirm that most alcohol-related accidents occur at night,<sup>5</sup> and particularly on weekend nights. The highest fatality rates for young drivers occur during that same time period, and drivers under 30 are on the road on weekend nights more frequently than their numbers in the general driving population account for. Young drivers appear to drive at the times of greatest risk, both for causing or for being victimized in an alcohol-related crash.

When such risk exposure is coupled with alcohol consumption, the young drinking driver, relatively inexperienced with the automobile and liquor, faces a high probability of involvement in a serious, and possibly fatal, accident.

### Drinking Age and Accident Rate

Age restrictions for alcohol consumption were generally accepted until the late 1960s. Social unrest and public fervor regarding young people in Vietnam brought many age-related issues to the legislative conscience. Consequently, between 1970 and 1975, 26 states responded by reducing their minimum drinking age.<sup>6</sup> What followed was an increase in traffic accidents.

26 states

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## Young Male Drivers Are Found Most Responsible for Fatal Auto Crashes



Photograph courtesy of Arizona Department of Public Safety.

Not only are young drivers involved in a disproportionate share of fatal crashes, they also are responsible for a large share of those crashes, a new study by the Insurance Institute for Highway Safety indicates. Reported in the September 15, 1982, issue of *Status Report*, principal findings of the Institute's research study on driver responsibility include the following:

- Young drivers up to about age 25, especially 16- and 17-year-olds, are more often responsible for their fatal crashes and resulting deaths than are older drivers. Young male drivers are more likely than young females to be responsible for their fatal crashes.

- Teenaged drivers are responsible for more deaths per license holder than drivers of all other ages.

- Teenaged male drivers have by far the highest rates of involvement in crash deaths, and deaths for which they are responsible.

- Male teenaged drivers were involved in 84 percent of the 6,086 studied passenger vehicle occupant deaths in 1978 for which teenagers were probably responsible. Female teenagers accounted for 16 percent.

- Teenaged drivers more often kill other people than themselves. For example, more than half the people killed by teenagers in 1978 were their own passengers, or drivers and passengers in other vehicles, whereas the majority of people killed by drivers aged 21 or older were themselves.

One answer to the male teen driving problem could be curfew laws restricting nighttime driving. A study sponsored by IIHS and reported in the October 5, 1982, issue of *Status Report* found such laws reduced the crash involvement of teen drivers in all four of the curfew states studied.

The estimated reductions of crashes during curfew hours for 16-year-old drivers run as high as 69 percent in Pennsylvania. In New York the reduction is 62 percent, in Maryland 40 percent, and in Louisiana 25 percent.

For copies of these reports, write: IIHS, Watergate 600, Washington, DC 20037.

fatal accidents, and fatalities. Opponents of the lower minimum drinking ages initiated research studies to support their position. The first studies done were rudimentary and not very sound methodologically.

Disputes over conclusions arose which cast doubt over much of the research done in the late 1970s and early 1980s, researchers began to employ sophisticated statistical techniques such as interrupted time series analysis on the data. Utilization of these more effective analysis techniques added quantifiable substance to the researcher's claims that lowering drinking ages increased traffic crash involvement.

One of the most thorough studies done to date was sponsored by the Insurance Institute for Highway Safety. In that study, nine states which raised their minimum drinking age were matched with states in which the legal minimum drinking age remained unchanged during the study period. Statistical analysis was based on the premise that if raising the drinking age reduced driver involvement in alcohol-related fatal crashes, then nighttime fatal crashes and single vehicle nighttime fatal crashes should be reduced more than daytime crashes and multiple vehicle daytime fatal crashes respectively. Researchers conducting the study were basing their hypothesis on previous research which concluded that young drivers are more often involved in single vehicle fatal crashes and nighttime fatal crashes.

The hypothesis was dramatically sup-

ported. The results of the research showed that in the relevant age groups, there was a greater decrease in driver involvement in nighttime than in daytime fatal crashes in states which raised their drinking age when compared to the no-change states. There was also a greater decrease in single vehicle nighttime fatal crash involvements than in multiple vehicle daytime fatal crashes.

There were an estimated 30 percent fewer drivers in the law-affected age groups in fatal nighttime crashes in law-change states during the post-law periods studied, and 41 percent fewer drivers in single vehicle nighttime fatal crashes.

In summary, eight of the nine states, experienced net reductions in nighttime fatal crashes ranging from 6 to 75 percent. The average reduction in the nine states was 28 percent. The authors of the Institute's study concluded that when states raise their drinking age, there is a corresponding decrease in fatal crash involvement among law-affected drivers.

Other studies have been completed which support the above conclusion. One of the more statistically supportive studies on the issue was completed in late 1981 in Arizona. Research staff at the Arizona Department of Public Safety positively substantiated the hypothesis that lowering the legal minimum drinking age resulted in increased fatalities and increased fatal accidents. The Arizona study investigated the impact of the 1972 law which lowered the drinking age from 21 years to 19 years of age. Eight series of data were examined:

total traffic accidents, total injury producing accidents, total traffic injuries, total fatal accidents, total traffic fatalities, hard liquor sales, wine sales, and beer sales.

The hypothesis of an abrupt and permanent impact was supported by all the data examined in the Arizona study. Use of interrupted time series analysis produced substantive, as well as thoughtful, results. Total fatal accidents increased 26 percent which resulted in approximately 1,128 additional fatal accidents (since August 1972). Due to the increased severity of alcohol-related fatal accidents, the 1,128 additional crashes claimed the lives of about 1,884 persons.

In the final interpretation of the Arizona study, beer sales increased by 23 percent; fatal accidents increased by 26 percent; and most staggering of all—traffic fatalities increased by 36 percent.

## Conclusion

The overwhelming majority of research clearly indicates a major problem exists in young drinking drivers. Further, the studies reveal that the problem increases substantially when legal drinking ages are lowered. Recent research indicates that the effects of a lower minimum drinking age may be reduced by restoring or implementing a higher (e.g., 21 years) minimum drinking age.

The current public and political impetus to crack down on drunk drivers now allows the criminal justice system to enforce DWI laws with a strong degree of solidarity. Raising minimum drinking ages can only increase law enforcement's success in protecting the public—which is ultimately our most fundamental mission. \*

\*A.F. Williams et al., "The Effect of Raising the Legal Minimum Drinking Age on Fatal Crash Involvement," prepared for the Insurance Institute for Highway Safety (June 1981).

\*L.L. Krieg, J. Vivian, and S. Haver, *An Impact Assessment of Arizona's Lowered Legal Drinking Age and A Review of the Previous Research* (Arizona Department of Public Safety, Phoenix, AZ, 1981).





# Putting the Brakes on Teenage Drunk Driving

Exhibit C  
HBs 194-5  
1/25/83

*Drunk driving is a problem that assumes epic proportions when practiced by youth.*

By JILL VEJNOSKA

The evidence is in, the victims identified. Even the alibis have been discredited. Yet for some reason, when it comes to this crime, an arrest just can't seem to be made.

The vital statistics on this crime are alarming: an unknown number of Americans commit it every day; and in 1980, 16,589 people<sup>1</sup> died because of it. The crime is drunk driving; and recently parents, police, and other concerned citizens have begun to take an interest in arresting its spread among young people.

Criminal activity or violent behavior related to alcohol consumption is an especially common occurrence among American youth. According to the Fourth Special Report to the U.S. Congress on Alcohol and Health, "Alcohol use among adolescents appears to lead to other problem behavior, with some studies indicating a significant correlation between antisocial or delinquent behavior and adolescent drinking." In no one act is this connection more apparent than traffic accidents, which the National Institute on Alcohol Abuse and Alcoholism calls "the major cause of violent death in the United States."

## Roadblocks to Problem Recognition

However, the road leading to heightened public awareness of and concern about teenage drunk driving has been a bumpy one. Individuals and groups working to get intoxicated youth off the streets have had several roadblocks thrown in their path. First, for a long time, Americans could not

would not acknowledge the existence of what Maryland Congressman Michael Barnes has called the "national epidemic on our highways." Second, many people were—and some still are—unable to recognize that drunk driving is more widely practiced by and has more serious repercussions for teens than for any other age group.

Yet research and statistics show that both roadblocks are in fact realities. The 1980 statistics of the National Highway Traffic Safety Administration estimate that 51,077 people died in motor vehicle crashes. Of those victims whose blood alcohol content (BAC) was tested, "between 40 and 55 percent . . . had BAC of at least .10 percent, the legal level of intoxication in most states," the report says, and "the average BAC of fatally injured drunk drivers who were tested was greater than .20 percent." In addition, the National Institute on Alcohol Abuse and Alcoholism (NIAAA) reported in 1981 that "as many as 25 percent of drivers in nonfatal accidents had been drinking prior to the accident."

These statistics, when translated into words, reinforce the notion that drunk driving is a potential runaway problem, one that we must put the brakes on. From the President of the United States on down to the professional alcohol treatment community and average citizens, Americans have begun to express their anger. "Americans are outraged that such a slaughter of the innocent can take place on our highways," proclaimed President Reagan recently. "Our anger and frustration are

matched only by the grief of those who have lost loved ones in such accidents."

Reagan made this statement at a ceremony announcing formation of the 30-member Presidential Commission on Drunk Driving. Reagan pronounced drunk driving an "epidemic" and called on the commission to produce "results, not another study." Former Department of Transportation (DOT) Secretary John A. Volpe, who currently serves as chairman of the commission, looks for similar results. "We have made drinking and driving socially acceptable in this country, and we have to make it unacceptable," he says. And Utah Congressman James Hansen accurately captured the country's angry mood when he said at the commission's first meeting, "I have nothing against people who drink. That's their right. But their rights stop when they get behind two or three tons of metal."

Yet, for all their willingness to take on the problem of drunk driving at the national, state, and local levels—citizens groups with names like Mothers Against Drunk Driving (MADD), Remove the Intoxicated Driver (RID), and Prevent Alcohol-Related Death in Tompkins (NY) County (PARKIT) have sprung up across the country—Americans have been slower to face the problem as it relates to teens. It's as if, having finally gotten on the road to reform, they're wary about detouring into areas where their progress might be slowed.

Yet detour they must, for studies show that a greater proportion of the youthful population not only is involved in traffic accidents but also drives while intoxicated. According to researcher Cherry Lowman, "One study in Michigan showed that sober adolescents were two to three times more likely to be involved in motor vehicle accidents than were drivers in their forties, and that even low amounts of alcohol consumption greatly increased their risk of involvement in accidents." Even

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<sup>1</sup>C. Lowman, "Facts for Planning, No. 7, Drinking and Driving Among Youth," *Alcohol Health and Research World*, 7(2), 1982, 1983.

minating all the age group comparisons, it becomes clear that drunk driving is a problem that assumes epic proportions when practiced by youth. "No other singular source of mortality approaches traffic deaths among youth in terms of sheer numbers, and no other cause of death is as predictably associated as traffic accidents with a single known contributing factor—namely, the interaction of beverage alcohol and a young driver's ability to control an automobile," writes Richard L. Douglass, M.P.H., Ph.D., of the University of Michigan's Highway Safety Research Institute.

Once again, statistics illustrate the magnitude of the problem. Lowman, using NHTSA data, reports that "36 percent of all 1980 motor vehicle fatalities were persons 15 to 24 years of age, an age group that represented only 19 percent of the general U.S. population." Obviously, not all these fatal accidents occurred because of alcohol use, but 54 percent of the 7,454 victims who were tested had BACs in excess of .10. Youth, then, suffer a disproportionate number of motor vehicle fatalities, an extremely high percentage of which (using NHTSA's 40 to 55 percent estimate) are caused by or related to alcohol consumption.

### Drunk Driving as a Youth Problem

Why is drunk driving such a pervasive problem among youth? While there is no simple explanation for why a person unable to walk a straight line thinks he or she can negotiate the curving white lines of a highway, several possible causes, unique to teens, suggest themselves:

- Young people are more inexperienced at both drinking and driving than adults; consequently, when driving under the influence of alcohol, the probability is greater that they will be involved in accidents. Douglass writes, "In a study of nighttime drivers and their alcohol usage, Carlson reported that most of the drivers studied aged 16 to 20 who had been drinking had lower blood alcohol concentrations than older drivers. Further, he stated that the combination of inexperience in drinking and in driving is highly related to crash occurrence."

- Despite, or perhaps because of, their driving inexperience, many young people drive more often and at greater speeds than do their older counterparts. When combined with drinking, these factors spell dire results for young drivers. "Increased speed in conjunction with drinking is more likely to be associated with young drivers and with increased crash severity," Douglass contends.

- The teen years bring with them increased options and pressures. Among these are peer pressure—that is, many

teens feel that in order to fit in with their peers, they must participate in social situations that may involve drinking and driving. Then too, there are the increased opportunities—and pressures—that accompany approaching adulthood. Lowman explains, "Among boys and girls, 19 appears to be a particularly vulnerable age. For most youth, this is the first year out of high school and also the first year as a legal adult. Increased freedom and experimentation accompanied by increased alcohol use—regardless of state drinking age—may explain the peak involvement in fatal crashes at 19 years."

- Related to this is that the group who most often drives while intoxicated may also be the group most difficult to reach with—or least receptive to—prevention or intervention messages. Police and courts are sometimes reluctant to arrest and convict young drivers (see below); in addition, peer pressure and other societal factors may cause youth to turn deaf ears to these messages.

- Many people are more tolerant of drunk driving than other crimes (perhaps believing "there but for the grace of God go I"), and in particular, seem to regard it as a "rite of passage" from adolescence to adulthood. A number of teens share this attitude, which might help explain why teenage boys are so highly overrepresented among drunk driving statistics. In 1980, the number of 16-year-old male drivers involved in fatal motor vehicle accidents was nearly three times that of females the same age. By age 20, male drivers were involved in fatal crashes five times more often than were females in the same age group. Some experts—particularly researchers Jones and Joselyn—claim that this disparity stems from the fact that males drive more frequently than females do. Others such as Lowman, elaborate: "The fact that boys are more often drivers to and from social settings where alcohol is consumed may be one factor in their greater involvement in motor vehicle accidents," she writes.

### How To Deal With The Problem

Identifying the causes of youthful drunk driving suggests some approaches to dealing with the problem. For example, in suburban Montgomery County (Maryland), police, merchants, school officials, and citizens, aware of all the factors contributing to teen drunk driving, have developed a program that accepts and works within the reality that some teens *do* drink. "Project Graduation" is Montgomery County's prevention and intervention approach to holding down the amount of teen drunk driving at the end of the school year when temperatures traditionally rise and students' precautions stop. Project Gradua-

tion was organized by the Montgomery County Ad Hoc Task Force on Drinking and Driving, the Montgomery County Regional Student Governments, the Council of County Parent-Teacher Associations (PTA), and the Business/Community Team Against Drug and Alcohol Abuse. Because high school graduations and proms traditionally are high-risk times for students who drive, Project Graduation organizers direct their efforts at participants in these activities.

As its part of Project Graduation, the PTA takes a direct approach to curbing teenage drunk driving, providing a hotline number teens can call for free rides on prom night and recruiting parents to act as drivers. Members of the business community cooperate by printing cards with the hotline number and slipping them into corsages, boutonnieres, and rental tuxedos. In addition, similar cards are placed on tables at the proms, while posters proclaiming "Friends Don't Let Friends Drive Drunk" grace the walls.

Project Graduation also directs its message at parents. Public service announcements and an informational packet discuss the prevalence of drunk driving and its special dangers for teens, as well as the need for open discussion between parents and children on this subject. The packet cites teens' inexperience at drinking and their perception of the drinking driver as "an independent, brave, popular individual" as evidence that such discussion is needed.

Another essential element of Project Graduation is its prevention activities, begun well in advance of the graduation season. Paramount among these is "Scared Stiff," an audiovisual presentation conceived and developed by two members of the Montgomery County Police Department that puts teens on a collision course with reality.

Using an informational approach, the officers supplement their appearances at high schools with color slides showing drunk driving accident scenes. Presenters take care to show familiar geographical locations in the county and to coordinate the ages of accident victims with those of their audiences. Such attention to detail ensures that "the accidents shown are brought vividly to the youths' attention," explains a department spokesperson. To date, "Scared Stiff" presentations have been made to some 32,000 students at 23 public and private high schools. Many of the students claim that it has made them "think twice" about drinking and driving. Currently, "Scared Stiff" creators, Corporal John DeVires and Research Analyst Bill Fleming, are working to make students throughout the country "think twice;" they have written a script that they say is "easily adaptable to any city, town,

or community in the United States," and they are promoting its use nationwide.

Several other examples exist of police cooperation in teen drunk driving efforts, among them a comprehensive prevention education product funded by NHTSA through the Michigan Department of State Police. The department, working with Michigan's Office of Substance Abuse Services (OSAS), developed the program when OSAS officials discovered that there were few prevention or educational materials on youth drinking and driving that had been shown effective in changing behavior. Although an analysis of the test results has not yet been completed, indicators show that the program has been successful in teaching key facts about drinking and driving that are retained for at least several months.

In Baltimore, police refer teens who are first-time drunk driving offenders to the juvenile services division of the Anne Arundel County Department of Social Services. Juvenile services, in turn, sends many of these teens to the nearby Maryland Institute for Emergency Medical Service Systems (MIEMSS), where they tour the Shock Trauma Unit and observe people their own age who have been severely injured in alcohol-related traffic accidents. Like Montgomery County's "Scared Stiff" program, the MIEMSS tour is intended to help participants recognize their own potential as accident victims, thereby making them "think twice" about drinking and driving. "It was hoped that viewing the real consequences of what could happen if one mixed driving with alcohol or drugs would have a considerable impact on adolescents who characteristically feel that they are indestructible," says MIEMSS nurse coordinator Beverly Dearing, R.N., M.S.

### Police Response To Teen Drinking Problem

However, these examples notwithstanding, it appears that many law enforcement personnel come to a "fork in the road" when called upon to respond to youthful drunk driving situations. Interviews conducted across the country indicate that a large number of police officers are unsure of how to handle teens who drive while intoxicated or are unaware that drunk driving is so prevalent among this group. What interviews reveal is that many police officers, while not ignorant of the prevalence of drunk driving in America today, are unaware that teen drunk driving is as serious a problem as the statistics reveal it to be. Lieutenant Rick Carson, of the Des Moines (Iowa) Police Department, while conceding that teen drunk driving is a serious problem "in that it *does* happen,"

comments that for teens in his city, "The incidence rate (of drunk driving arrests) is not as great as it is among adults." As proof, Carson cited the fact that only 13 teens had been brought in for drunk driving in the previous month—a far smaller figure than the number of adults apprehended in the same period—and added that he does not believe police are reluctant to cite teens for driving while intoxicated.

Carson cautioned that his comments were based only on his own experiences as a police officer working in Des Moines. "I can't speak for the whole state," he said. And indeed, it is possible that Des Moines has learned to control drunk driving

among its youth because youth apprehended for DWI take the same tests as adults and are subject to the same fines and penalties if convicted, they realize that police are serious about solving this problem, Carson explained. However, as other interviews reveal, some police departments are still struggling to impose similar order on the problem in their jurisdictions.

For many of these departments, the "fork in the road" decision that has to be made is "who should handle youth drunk driving cases?" At a large midwestern precinct, officers in the juvenile division recommended the school safety, traffic administration, traffic enforcement, and

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## NIAAA Magazine Focuses on Drunk Driving

If you're not a subscriber to *Alcohol Health and Research World*, quarterly magazine of the National Institute on Alcohol Abuse and Alcoholism, you missed the Fall 1982 special issue on Drinking and Driving. But it's not too late to receive a complimentary copy of this fact-filled issue, if you subscribe today.

This special limited offer brings you a free copy of our Drinking and Driving issue, along with your subscription to four more issues of *Alcohol World*, for the low price of \$11.00 (\$13.75 to foreign addresses). *Alcohol World* has become "must" reading for thousands of subscribers who work in the alcoholism and related fields. Upcoming magazines will bring you . . .

- A look at statistics on drinking and driving among youth, with a discussion of implications for program planners and policy-makers, in the Winter 1982/83 issue.

- Coverage of alcohol and blood sugar disorders, focusing on how even moderate drinking can be dangerous under certain conditions.

- Ongoing coverage of issues related to drinking and driving.

The Fall 1982 issue of *Alcohol Health and Research World*, which you will receive free of charge, is almost entirely devoted to the topic of drinking and driving. It offers you a look at . . .

- The creative approaches to reducing the problems that have been developed by citizen activists—often relatives of victims of drunk driving accidents or parents concerned for the safety of their children.

- The legislative approaches under consideration or recently enacted in

many states—new laws that mandate stringent minimum penalties for drunk driving offenders, that raise the minimum drinking age, and that support more intensive enforcement of drunk driving laws.

- Federal efforts to address the drunk driving problem, including the appointment last spring of the Presidential Commission on Drunk Driving and new initiatives recently launched by the National Highway Traffic Safety Administration.

To take advantage of this special offer, send a check, money order, or credit card authorization (include name, VISA or MasterCard number, and expiration date) to: Special Officer, *Alcohol World*, National Clearinghouse for Alcohol Information, P.O. Box 2345, Rockville, MD 20852. Make checks payable to Superintendent of Documents and be sure to include your name and address.

public information units as possible sources of information on teenage drunk driving. However, none of these units is responsible for handling such cases. Clearly, in this city, police officers are themselves unsure under whose jurisdiction teenage drunk driving falls.

A similar situation, it appears, prevails at the Los Angeles Police Department, where 279 juvenile drunk driving arrests were made in 1981. A spokesman for the traffic division says, "We handle hit-and-runs here; occasionally we see teens, but the workload is too great for us to handle them in any special way." This assessment is counterbalanced by Juvenile Statistics Officer Douglas Slocum who says teenage drunk driving is "a serious problem when you're talking about 280 kids." Slocum explains that recently implemented changes in the way juvenile drunk drivers are handled should help organize the process and may increase convictions.

Under a new streamlined process, the probation department determines, soon after apprehension, whether the youthful offender should be referred to juvenile court or juvenile traffic court. According to Slocum, this new process "is more in line with the way the adult offender is handled" and actually strengthens efforts to remove the youthful offender from the road. "I think the process was changed because juvenile court allows no monetary penalties—often kids are let off with just probation," Slocum says, "but in traffic court, fines can be assessed." According to Slocum, parents of convicted juveniles often end up paying the fines. By refining its system for processing youthful drunk drivers, then, the Los Angeles Police Department appears to have let teens and their families know that police, courts, and indeed, all of society, are serious about solving the nation's drunk driving problem.

Police elsewhere are equally concerned with improving the way these cases are handled. In Iowa, a new law that mandates license suspension and fines for drunk drivers, including youth, "should have a good deterrent effect," says Lieutenant Carson, of the Des Moines Police Department. Speaking personally—but other officers around the country echo his remarks—Carson comments, "Perhaps we should increase the restrictions placed on drunk drivers; in any event, we should get a lot harder on recidivists."

### Public Support For Police

The public, by all accounts, supports the police approach to reducing teenage drunk driving. Fran Helmstadter, president of PARKIT, one of the nation's largest and most successful citizen activist groups, echoes Officer Slocum of the Los Angeles Police Department when she says, "We consider it crucial that teens be treated like all other drunk drivers." Citing that only 1 in every 2,000 people who drive drunk is actually apprehended, Helmstadter contends that "most of these teens who are caught have been drinking and driving for a while. When they're finally stopped, it's usually not the first time they've done it."

What does all this mean to police? Helmstadter explains, "Police need to realize that a young person who drives drunk is headed for serious trouble, that many of them will show up on the road drunk again. They should not be given a second or a third chance." To support her contention, Helmstadter describes the case of a young recovering alcoholic, now in his twenties, who says he drove drunk "thousands of times" while in his teens. Describing the many "truly terrifying" times that he woke up in jail and did not remember what had happened to him, he empha-

sized, "Police shouldn't give kids who drive drunk a break. I wish I hadn't been given so many."

PARKIT, like other citizens groups, advocates drunk driving education in the schools. "Ideally in the fifth and sixth grades," Helmstadter says. They welcome police participation in such projects and are rarely disappointed. Helmstadter says that in her region, police are very supportive of PARKIT's efforts—speaking to school groups, demonstrating testing devices at malls, and providing advice and support for community-sponsored alcohol awareness days. "I applaud any officer who can scrape out a couple of hours and go into the schools or meet with us," Helmstadter says. "We realize that they're tremendously understaffed and overworked."

Despite manpower and budgetary shortages, ultimately, police may represent the best hope our society has for getting out of the "scrape" teenage drunk driving has gotten us into. Helmstadter sums it up best when she says, "We look to law enforcement to be the 'cutting edge' of the message we're trying to deliver. Obviously, it's better when communities support what they're doing, and we—all the citizens groups—are working towards this. But police have the best chance of conveying the message to teens."

The message? According to Helmstadter, it's that "the consequences of drunk driving can be serious." In fact, they can be deadly, especially for teens; and police need to understand this point and drive it home. Finally, drunk driving is wrong—a message that seems to have been lost on Americans for too long. "After all," commented one police officer at the end of a lengthy interview, "it is a crime. Sometime . . . think we forget that."

It is a crime just begging for arrest. \*

MONTANA

DRINKING AND DRIVING STATISTICS

Exhibit D  
NBs 194-5  
1/25/83

FATALITIES 1982

29 - Below 18 years (teenagers)

38 - 18-19-20 year olds

33 - 21-22 year olds  
100

HAD BEEN DRINKING:

14 of 29 (below 18 year olds) 48%

23 of 38 ( 18-19-20 year olds) 61%

22 of 33 (21-22 year olds) 67%

1981

338 Fatalities

67 were teenagers (37 of these teenagers HBD\*)

20% of all fatalities were teenagers

55% of all teenagers killed HBD\*

1982

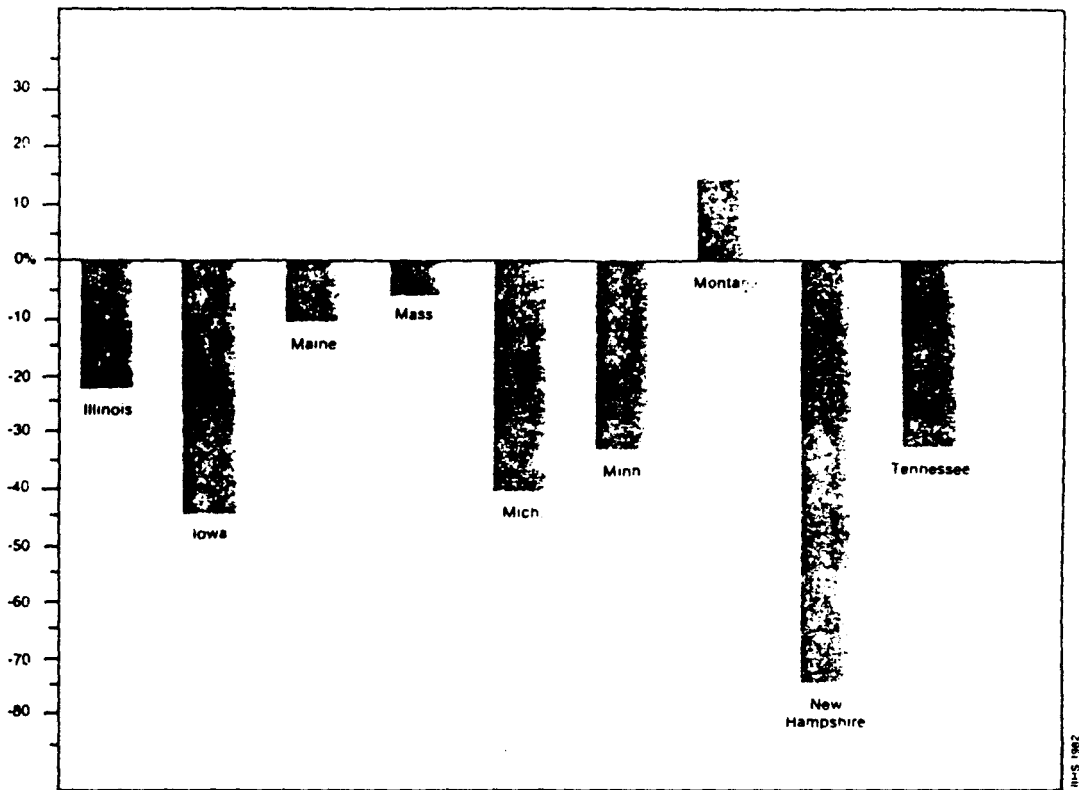
249 Fatalities

53 were teenagers (31 of these teenagers HBD\*)

22% of all fatalities were teenagers

60% of all teenagers killed HBD\*

## Percent Changes in Driver Involvement in Nighttime Fatal Crashes After Increases in Legal Minimum Drinking Ages



### teenagers in crashes

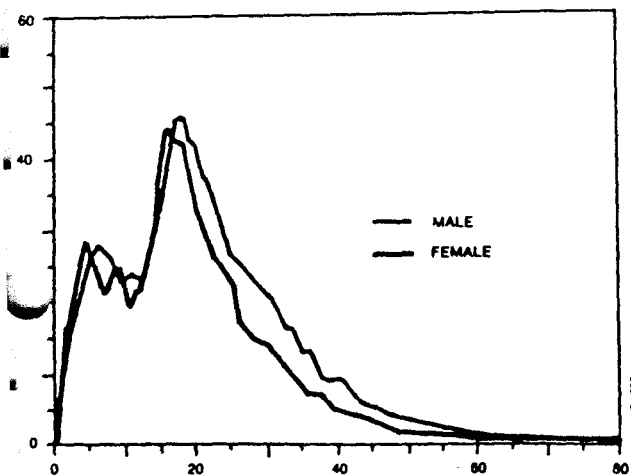
Motor vehicle crash injuries impose a huge burden on Americans of all ages, but the heaviest burden falls on the nation's young people. *Crashes are the number one killer of teenagers.* Nearly half of all deaths of 16-19 year olds are produced by injuries sustained in motor vehicle crashes. Teenagers 16-19 years old comprised 8 percent of the U.S. population in 1977, but accounted for 17 percent of all motor vehicle-related fatalities. More deaths per licensed driver are associated with crashes of 18 year olds than with any other age.

This burden of crash injuries on the nation's young people has long been a concern of the Institute. During the past year, Institute researchers focused not

only on teenaged *driver* involvement in fatal crashes, but also on deaths of teenagers as *passengers*.<sup>16,31,32</sup> How many 13-19 year olds are dying in crashes of cars in which the driver is a teenager? The Institute's findings are startling. *There are almost as many deaths of teenagers as passengers as there are of teens as drivers.* The majority of fatally injured teenaged passengers are in vehicles driven by their peers. **Most of these deaths occur in nighttime crashes, especially weekend nighttime crashes.** In addition, teenaged drivers are involved in disproportionate numbers of crashes in which occupants of other vehicles are killed, or in which nonoccupants such as cyclists and pedestrians are killed.

These findings indicate the magnitude of the problem, and they raise a number of fundamental policy questions. For example, should teenaged drivers be permitted to transport teenaged passengers? Should teenagers be allowed to drive between 9 p.m. and 3 a.m., when almost half of their fatal crashes occur? Should teenagers be permitted to operate the more hazardous motor vehicles, including those with the least crash protection? Whatever the answers to these questions, by a wide margin injuries associated with motor vehicle use are the major public health problem for teenagers in the United States—a problem that deserves far more attention than it has received.

### Motor Vehicle Deaths as a Percent of All Deaths by Age, United States 1977



the police presence should serve as a general deterrent to drunk driving and to other unlawful acts.

#### Efforts

Since its inception, NHTSA has been actively involved in the development and distribution of technical and training products to the enforcement community to achieve the maximum production from limited resources. The modern police administrator must continually strive to get the absolute most out of his resources that he may respond to the never-ending demand for increased police services. In these times of reduced budgets and resultant loss of available manpower, the development and delivery of these products is even more essential.

Responding to these demands for new material is one of the highest priorities of NHTSA. Not only does this require the development of new material, but it also necessitates constant review of existing material to keep it current with existing developments and technology. For example, keeping up with all of the latest evidential breath test instrumentation and technology requires the services of two full-time personnel.

All of our material is highly dependent on the development of the enforcement community. This involvement starts with initial identification of an existing need and continues all the way through the final development and field testing of the final product. This dedicated involvement of the enforcement community has enabled us to produce a great deal of high quality material for the war against the drunk driver. Among the most current products available from NHTSA are the following:

**Visual Detection of Driving While Intoxicated** (DOT HS 805-711, January 1982). Includes: (1) 12-minute film or videotape suitable for roll-call training; (2) videotape detecting drunk drivers at night; (3) final report on research study.

This material was developed as the result of a significant study into the types of driving behaviors that indicate that obstructed drivers may be driving while under the influence. This package of material is being distributed to police agencies in all 50 states and is one of our most successful products.

**Preliminary Breath Testing for Drunk Driving Enforcement** (DOT HS 806-17, March 1982). Includes: (1) instructor's manual and (2) instructor's manual.

This training course is the newest product published for drunk driving enforcement. It provides a basic orientation to enforcement of DWI laws, DWI enforcement techniques, and how to administer preliminary breath tests. This course includes instructions in the use and maintenance of all current PBT devices.

**Qualified Products List for Evidential Breath Test Devices** (Federal Register Vol. 47, No. 43, March 4, 1982). This is a list of evidential breath test devices that have been tested against the performance standard for evidential devices and have been found to meet or exceed those requirements. Federal highway safety funds may be used to purchase equipment from this list.

**Police Management Training: Factors Influencing DWI Arrests** (DOT HS 803-407, July 1978). Includes: (1) planning guide, (2) workshop leader outline, and (3) participant manual.

The DWI Law Enforcement Training Manual is an intensive workshop series for command/supervisory personnel. It concentrates on the role of police command and supervisory personnel in the development and implementation of comprehensive DWI enforcement programs.

All of the above materials are available from NHTSA or the Government Printing Office. Initial requests for this material should be forwarded to: Office of Alcohol Countermeasure, NHTSA, NTS-20, 400 Seventh Street, S.W., Washington, DC 20590. \*

Exhibit 2  
1/25  
NB  
194  
195

## Howard-Barnes Drunk Driving Bill Becomes Law/Resolution Establishes Awareness Week

On October 25, 1982, President Reagan signed into law legislation (H.R. 6170), sponsored by Reps. James J. Howard (D-NJ) and Michael D. Barnes (D-MD), combating the nationwide drunk driving epidemic. The Howard-Barnes bill represents the first major comprehensive drunk driving legislation. It establishes a three-year incentive grant program, using \$125 million from the Highway Trust Fund, encouraging states to strengthen programs to control drunk driving.

Howard, who chairs the Public Works and Transportation Committee which reported the bill, called the bill "a positive federal response to a severe national crisis that threatens all of us."

Barnes, a member of the Presidential Commission on Drunk Driving, who has been spearheading the congressional effort urging a nationwide crackdown on drunk driving since 1980, said that "the 70 deaths and hundreds of maimings caused by drunk drivers every day are not due to freak accidents. It is a crime. In fact, drunk driving is the most frequently committed violent crime in America today."

Under the new law, states would be eligible to receive a basic grant (30 percent of the state's annual allotment of federal highway safety funds) by satisfying the following four basic criteria put forth in the legislation:

- Setting a .10 percent blood-alcohol concentration standard for legal intoxication.
- Providing prompt suspension of the driver's license for no less than 90 days for first offenders and for no less than one year for repeat offenders.
- Requiring a mandatory minimum sentence of 48 consecutive hours in jail or ten days' community service for repeat offenders.
- Increasing enforcement of state drunk driving laws supported by public information.

The House unanimously approved H.R. 6170 on September 29, followed by unanimous Senate passage on October 1.

The bill's signing by the President follows on the heels of the earlier signing of a resolution establishing the week of December 12 to 18, 1982, as "National Drunk and Drugged Driving Awareness Week." The resolution had been introduced in the House, where it received unanimous support, by Rep. Barnes and James V. Hansen (R-UT), who has been hit twice in the past year by drunk drivers.

Barnes and Hansen, both members of the Presidential Commission on Drunk Driving, said the "Awareness Week can provide a major boost to the nationwide battle to strengthen laws, toughen enforcement and educate the public to the life-threatening consequences of driving while intoxicated."

According to Rep. Barnes, "On an annual basis, a 'National Drunk and Drugged Driving Awareness Week' can give us an important opportunity to focus attention on the problem, assess our progress, and address the need for further changes. It will help guarantee that we do not forget the truly enormous and unacceptable costs in dollars and human suffering caused by intoxicated driving.

"The nation's police chiefs are in a unique position to set into motion the kind of creative and effective enforcement programs that will save lives. Enhanced enforcement efforts, supported by publicity, in Maryland and in my community of Montgomery County, have been key to the tremendous success we have experienced over the past year. Drunk driving deaths have been cut by 20 percent in Maryland and by 40 percent in Montgomery County so far this year."

902 3rd Avenue South  
Great Falls, Montana 59405

Phone 727-7050

*Exhibit F*  
*HBs 194 &*  
*195*  
*1/25/83*

January 10, 1983

Montana Representative Bernie Swift  
Capitol Station  
Helena, MT 59601

Dear Representative Swift:

During the month of August of 1982 a poll was taken to determine the views of Montanans on the legal age.

*Registered Voters*  
*J.R. 01/11/83*  
Five hundred and seventy-eight telephone interviews were completed from a randomly determined sample proportionate to the population of nineteen selected counties. The results are statistically accurate to a confidence level of 97% with an error range of plus or minus five percent.

The responses were as follows:

	<u>Number</u>	<u>%</u>
1) Raise the legal drinking age to 21 - -	208	36
2) Raise the <u>entire</u> legal age to 21, but retain the voting age at 18 - -	147	
(Raise the entire legal age including the voting age)	<u>5</u>	
	152	26
Total favoring raising the drinking age and/or the entire legal age to 21 - - -	360	62
3) Maintain the present legal age of 18 and drinking age of 19 -178		
(lower the drinking age to 18) - - -	<u>1</u>	
	179	31
4) Not sure - - -	39	7

Five respondents wanted to raise the entire legal age including the voting age to 21, while one wanted to lower the drinking age to 18. For computational purposes, these figures have been included as indicated above.

Combining responses to (1) and (2) yields a total of 62% who favor raising the drinking age to 21. Twice as many of those polled favored raising the age as opposed to the 31% who wished to retain the present age.



Montanans in favor of raising the drinking age to 21 would find support for their position in the results of such actions taken elsewhere. A recent issue of "The Alcoholism Report," a bi-monthly periodical published by JSL Reports of Washington, D.C., pointed out that hikes in the drinking age in Michigan and Maine were followed by significant drops in alcohol related crashes involving young drivers in both states. A University of Michigan study reported that injury-producing crashes among drivers 18-20 were down approximately 20% in the first year following raising the drinking age to 21. A similar decline for 18-19 year old drivers in Maine occurred following a rise in the drinking age from 18 to 20 in that state. It is also worth noting that while 29 states lowered their drinking ages during the early 1970s, the total of 16 states has since reversed that action - - and the trend is toward raising the drinking age.

The following figures provided by Michael A. Murray of the Montana Department of Institutions, Alcohol and Drug Abuse Division point to the disturbing increase of the incidence of alcoholism in the percentage of young Montanans admitted as clients for treatment in the state's institutions:

Age Group	1976-1977		1977-1978		1979		1980	
	No.	%	No.	%	No.	%	No.	%
0 - 17	501*	7	142	3	313	6	373	7
18 - 20	<u>501</u>	<u>7</u>	<u>317</u>	<u>6</u>	<u>341</u>	<u>6</u>	<u>425</u>	<u>8</u>
			<u>459</u>	<u>9</u>	<u>654</u>	<u>12</u>	<u>798</u>	<u>15</u>

\* Statistics for 1976-77 are combined up to age 20 and not broken down 0-17, 18-20 as is the case for subsequent years.

While there was a slight decline in the absolute numbers of those admitted for treatment in 1977-78, the increase in 1979 was approximately 33% over the previous year, and 1980 saw another 25% increase over 1979. We believe that a raise in the drinking age to 21 could reverse or at least retard the disturbing rise in alcoholism among young people in Montana.

Following is a breakdown of results by each county that was randomly selected for the poll.

	q. 1	q. 2	q. 3	q. 4
1. Big Horn	08	02	03	02
2. Cascade	36	23	24	05
3. Custer County	04	07	09	00
4. Deer Lodge	01	02	06	01
5. Fallon	06	03	03	00
6. Fergus	03	10	05	00
7. Flathead	06	13	18	02
8. Gallatin	12	10	14	05
9. Hill	11	05	06	01
10. Lake	04	06	08	03
11. Lewis & Clark	06	04	08	03
12. Lincoln	05	03	03	00

	<u>q. 1</u>	<u>q. 2</u>	<u>q. 3</u>	<u>q. 4</u>
13. Missoula	23	18	24	03
14. Park	08	01	03	01
15. Pondera	04	02	02	03
16. Ravalli	02	05	04	00
17. Richland	05	02	04	00
18. Silver Bow	21	03	10	07
19. Yellowstone	43	28	28	04

Jan Reager,  
Director  
Intermountain Surveys

WITNESS STATEMENT

EXHIBIT G  
HB 194 & 195  
1/25/83

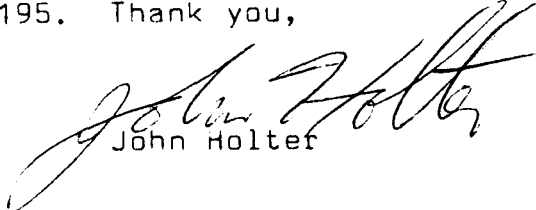
NAME John Holter BILL No. HB-195  
ADDRESS 24 S. Ewing, Helena DATE 25 Jan. 83  
WHOM DO YOU REPRESENT MADD (Montanans Against Drunk Drivers)  
SUPPORT XXX OPPOSE \_\_\_\_\_ AMEND \_\_\_\_\_

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

Mr. Chairman,

Since 50% of all Auto fatalities are <sup>cc</sup>alcohol related and 80% of these are caused by drivers under 24 years old, MADD supports HB-195. Please report due pass on HB-195. Thank you,

  
John Holter

WITNESS STATEMENT

Exhibit H  
HB 194 & 195  
1/25/83

NAME John Holter BILL No. HB-194  
ADDRESS 24 S. Ewing, Helena DATE 25 Jan. 1983  
WHOM DO YOU REPRESENT MADD (Montanans Against Drunk Drivers)  
SUPPORT XXX OPPOSE \_\_\_\_\_ AMEND \_\_\_\_\_

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

Mr. Chairman,

Since 50% of all auto accidents involve alcohol, and 80% of these involve drivers <sup>under</sup> the age of 24, MADD supports HB-194. In Michigan, after returning the drinking age to 21 years, the auto fatality rate of drivers under 24 years dropped <sup>by</sup> 28% the first year. Logically, the rate in Montana would also drop. Please report due pass on this bill.

Thank you,

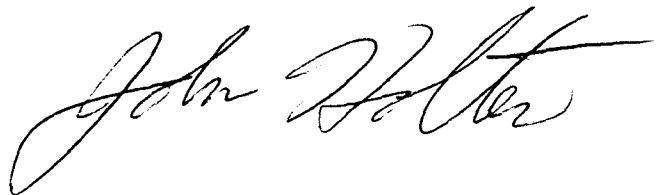


Exhibit I  
HB 194 & 195  
7/25/83

As Assistant Principal of a AA School for four years, my responsibilities include student attendance, discipline, and activities. I am very familiar with students in each of these areas and can testify clearly that alcohol use and abuse is a major cause of problems in students' lives.

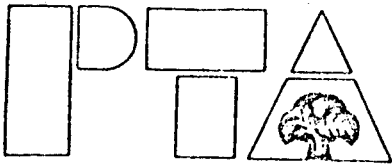
In the area of student lack of attendance in school, the use and abuse of alcohol is found to be a contributing factor 90% of the time. Students' access to alcohol is remarkably simple and some drink before school, many drink their lunch. On a warm day students cut classes to party -- spring keggers are the top social events. Those students who are 18 willingly buy for high school, junior high and elementary students. The typical problem adolescent drinker reports beginning to use in usually the third or fourth grade -- thanks to the generosity of a high school friend. Naturally, this use and abuse leads to high absenteeism at all grade levels.

Student discipline problems have become increasingly complicated by students' use of alcohol. Students drink in school lavatories, in their cars, and on school grounds. Some students actually keep liquor in their lockers. The resulting breakdown in attitude, concentration, and general discipline is reflected in vandalism, impaired learning, defiance of authority, fighting and general loss of respect for themselves and others.

Anyone who has attended a school game or dance cannot help but notice a large number of students under the influence of alcohol. Students consider drinking an important part of any social event. Students easily obtain alcohol from their 18 or 19 year-old friends. The result has been extensive controlling (sniffing out) at games and dances by police and school officials. The activity becomes an exercise in escorting drunk students to phones where parents and/or police are called.

Because student use is so regular, Helena school personnel have responded by training staff at all levels to identify students whose behaviors indicate problems that are alcohol related. These staff members then refer students and parents to appropriate services in the community. This is another indication of the rippling effect of alcohol in the schools.

In conclusion, we are working in the schools because we deeply care about young people. Our concerns about the use and abuse of alcohol in their lives is reflected in my statements today. We urge you to raise the drinking age to twenty-one. We urge you to care for those who are unable to care for themselves.



MONTANA CONGRESS OF PARENTS AND TEACHERS

RR 4392  
Great Falls, MT 59401  
Jan. 24, 1983

Exhibit J  
HB 194 & 195

1/25/83

Chairman Brown, Members of the Judiciary committee,

My name is Sharon Finney and I am president of the Montana Parent Teachers Association. I speak as a proponent to HB 194-195.

Because one of PTA's main objectives is to promote health and welfare among America's children and youth, the National PTA passed a resolution at its last national convention resolving to work for legislation that will raise the legal drinking age to 21, in all states. This resolution was backed by statistics provided by the National Institute on Alcohol Abuse and Alcoholism which states that alcohol is involved in 27 to 43% of the violations by youth, 13 to 19 years of age. These offenses include vandalism, sexual assault, disorderly conduct, disturbances of the peace and other crimes and misdemeanors. Also, traffic accidents are the number one cause of death among teenagers and most of these accidents involve a drinking driver. Teenagers are usually inexperienced in both drinking and driving and according to a U.S. Department of Health and Human Services study, even a moderate amount of alcohol, 1 beer per hour can significantly impair a young person's judgement and driving.

The Montana PTA passed a similar resolution at its convention this Fall. The feeling was very strong among the delegates that this law should be passed. Teenagers account for only 9.5% of Montana's population, but they're involved in 15.9% of the state's fatal accidents and 18.1% of alcohol related accidents.

As a parent, I believe it is the duty of adults to protect young people and prevent peer pressure from leading these kids to an early grave. Granted, changing the law will not totally stop teenagers from drinking, but it should dramatically slow down the filter-down effect of younger and younger kids experimenting with alcohol. A legal 21 year-old would be less likely to buy booze for a high school student, than would a legal 19 year old for a classmate.

Ladies and gentlemen, on behalf of the over 7600 members of the Montana PTA, I urge you to give a DO PASS recommendation to HB 194-194.

Thank-you.

Exhibit K  
HBs 194-195  
1/25/83

Poll yes = 51 / 43%  
no = 64 / 55%  
neutral = 2 / 2%  
total 118  
average age 28-30 yrs old

harder for 18 & younger to get it  
uniformity in age requirements / won't solve problem

their poll

1. raise to <sup>drink</sup> 21	208 / 36%
2. <sup>↓</sup> entire legal to 21	152 / 26%
3. Maintain	179 / 31%
undecided	<del>54</del> 39 / 7%

19 counties / 56 state  
34%  
"registered voters only"

Combined Polls	Total	696	my poll 17% of both totals
yes	411	59%	
no	243	35%	
undecided	41	6%	

Statistics from other states - not Montana  
San Reager / Michigan & Maine lower <sup>alcohol-related accidents</sup> ~~at~~  
didn't say what year they came down  
Speed limit was lowered to 55 mph in 1975  
Michigan showed lower 15% 20% - what about later again what year

looked at statistics of 17 tender admitted to institutions  
negatively.

They believe the problem will subside by raising to 21



Exhibit L  
HB 194-195  
1/25/83

WITNESS STATEMENT

Name David H. Brewer Committee On Judiciary  
Address 1800 GRAVES GT Falls MT Date 25 January 1983  
Representing Myself Support \_\_\_\_\_  
Bill No. HB's 194 & 195 Oppose most definitely  
Amend \_\_\_\_\_

AFTER TESTIFYING, PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

1. Wouldn't solve the problem that exists
2. 18yrs of age responsible by-law for all actions (adult) get married have children, pay taxes, go in debt, etc.
3. 21 doesn't make any more sense than 19 as most information I've learned indicated that most or average person really doesn't mature until age 25-26. I know people older who act like teenagers on occasion - who's really qualified to say when people are mature
- 4.

Work with laws in existence already

1. stiffen the consequences of parents not reigning their own children!
2. Put more strength in contributing laws longer jail terms, higher fines!
3. Make the judges enforce the laws - if their guilty then punish as such hold them more accountable for their actions - judges!

Itemize the main argument or points of your testimony. This will assist the committee secretary with her minutes.



*The Big Sky Country*

MONTANA STATE HOUSE OF REPRESENTATIVES

*Exhibit M*  
*NB 130*  
*1/25/83*

Representative Dave Brown  
District 83  
3040 Ottawa  
Butte, Montana 59701  
406-792-3604

Committees:  
Natural Resources,  
Judiciary

January 23, 1983

MEMO:

TO: Representative Dan Kemmis  
Speaker

FROM: Representative Dave Brown *dl*  
Chairman, Judiciary Committee

RE: Request for new fiscal note on HB-130.

After the hearing on HB-130 a subcommittee chaired by Representative Jim Jensen was established to rewrite portions of the bill. Attached please find a memo to me from Representative Jensen requesting a new fiscal note on this bill in its proposed amended version. He apparently has talked to Bill Gosnell and he concurs.

Your expeditious request of a new fiscal note on HB-130, the imitation drug bill, would be most appreciated.



*The Big Sky Country*

MONTANA STATE HOUSE OF REPRESENTATIVES

REPRESENTATIVE JAMES D. JENSEN  
HOUSE DISTRICT 66

HELENA ADDRESS:  
CAPITOL STATION  
HELENA, MONTANA 59620

HOME ADDRESS:  
128 ALDERSON AVE.  
BILLINGS, MONTANA 59101

COMMITTEES:  
JUDICIARY  
NATURAL RESOURCES  
FISH, WILDLIFE & PARKS

Exhibit N  
HB 130  
1/25/83

To: Rep. Dave Brown, Chairman  
From: Rep. Jim Jensen

Date: 1-22-8

RE: Subcommittee on HB 130, fiscal note.

Dave; Reps. Rowney, Farris and I believe the proposed amendments require an amended fiscal note, I have talked to Bill Gosnell and he concurs.



Montana Legislative Council  
State Capitol  
Helena, MT. 59620  
(406) 449-3084

Exhibit 0

HB 130

1/25/83

To: Representatives Jensen,  
Ramirez and Faris  
From: Brenda Desmond

Here is a copy of  
HB 130 incorporating the  
change you requested this  
morning. I have given  
a copy of it to Marc  
Racicot. At first glance  
he saw no problem with  
it but said he would  
read it over carefully.

STATE OF MONTANA

FISCAL NOTE

HB 130  
Exhibit P  
1/25/83

REQUEST NO. 072-83

Form BD-15

In compliance with a written request received January 10, 19 83, there is hereby submitted a Fiscal Note for House Bill 130 pursuant to Title 5, Chapter 4, Part 2 of the Montana Code Annotated (MCA).

Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

DESCRIPTION OF PROPOSED LEGISLATION:

House Bill 130 prevents the manufacture, possession, sale and advertisement of imitation dangerous drugs.

ASSUMPTIONS:

- 1) Use the Executive Budget for the prison program for the FY 84 and FY 85.
- 2) Population in the prison will be 725 inmates per year.
- 3) Cost per day at the Women's Prison Facility are not included.
- 4) The Board of Crime Control, after a random sample survey, approximates that there may be 167 cases for the sale and 194 cases for the possession of imitation drugs successfully prosecuted each year. Of those successful prosecutions, some 57 would be incarcerated.

FISCAL IMPACT:

The cost per day at the prison will be \$34.59 in FY 84 and \$35.31 in FY 85. If all 57 prisoners were incarcerated at the state prison, the cost would be \$719,645 in FY 84.

COMMENTS:

This legislation would also impact counties by increasing county costs for additional trials as well as jail costs for these individuals.

TECHNICAL NOTES:

According to a random sample conducted by the Board of Crime Control, no one was aware of any imitation dangerous drugs being manufactured in Montana. Also, most advertising originates out-of-state, however, material is readily available in Montana.

Continued

*David M. Lewis*

BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 1-15-83

HB 130  
Exhibit Q  
1/25/83

Proposed Amendments to HB 130

1. Title, following line 4  
Strike: "MANUFACTURE, POSSESSION,"
2. Title, line 5,  
Following: "SALE,"  
Strike: "ADVERTISEMENT"  
Insert: "POSSESSION FOR SALE"
3. Title, line 6,  
Following: "OF"  
Strike: "PHARMACY"  
Insert: "PHARMACISTS"
4. Page 1, line 12,  
Following: "through"  
Strike: "7"  
Insert: "5"
5. Page 1, line 16  
Following: "drug,"  
Strike: "which by dosage unit features"  
Insert: "but that is expressly or impliedly represented to be a dangerous drug or to simulate the effect of a dangerous drug and the appearance of which"
6. Page 1, line 17  
Following: "markings"  
Strike: "or by express or implied representation appears to be"  
Insert: "would lead a reasonable person to believe that the substance is"
7. Page 1, following line 19,  
Strike: Subsection (3) in its entirety.
8. Page 1, following line 23,  
Strike: Section 2 in its entirety.
9. Page 2, line 15,  
Following: "Section"  
Strike: "3"  
Insert: "2"
10. Page 2, line 17,  
Following: "drug"  
Strike: "to an adult"
11. Page 2, line 20,  
Following: "drug"  
Strike: remainder of line 20 through "older"
12. Page 2, following line 20,  
Strike: Subsection (2) in its entirety.
13. Page 3, line 1  
Strike: "(3)"  
Insert: "(2)"

14. Page 3, line 2,  
Following: "to"  
Strike: "an adult"  
Insert: "a person 18 years of age or older"
15. Page 3, line 3,  
Following: "not"  
Strike: "less than 2 years or"
16. Page 3, line 4,  
Following: "\$25,000"  
Strike: ",except as provided in 46-18-222"
17. Page 3, line 7,  
Following: "a"  
Strike: "minor"  
Insert: "person under the age of 18"
18. Page 3, line 8,  
Following: "not"  
Strike: "less than 2 years or"
19. Page 3, line 9,  
Following: "\$50,000"  
Strike: ",except as provided in 46-18-222"
20. Page 3, line 11,  
Following: "Section"  
Strike: "4"  
Insert: "3"
21. Page 3, line 12,  
Following: "drug"  
Insert: "with intent to sell"
22. Page 3, line 14,  
Following: first "drug" on line 14  
Insert: "with intent to sell"
23. Page 3, line 14,  
Following: "possesses"  
Insert: "with intent to sell"
24. Page 3, line 16,  
Following: "drug"  
Strike : Remainder on Subsection (2) in its entirety.  
Insert: "with intent to sell shall be imprisoned in the state prison for a term of not more than 5 years and may be fined not more than \$25,000."
25. Page 3, following line 24,  
Strike: Subsection (3) in its entirety.

26. Page 4, line 3,  
Strike: Sections 5 and 6 in their entirety.

27. Page 5, line 2,  
Following: "Section"  
Strike: "7"  
Insert: "4"

28. Page 5, line 2,  
Following: "[Sections"  
Insert: "2 and"

29. Page 5, following line 2,  
Strike: "and 4"

30. Page 5, line 5,  
Following: "possess"  
Insert: "with intent to sell"

31. Page 5, following line 5,  
Strike: Subsection (b) in its entirety.

32. Page 5, line 13,  
Strike: "(c)"  
Insert: "(b)"

33. Page 5, line 10,  
Following: "possessing"  
Insert: "with intent to sell"

34. Page 5, following line 12,  
Strike: "(d)"  
Insert: "(c)".

35. Page 5, line 14,  
Following: "who"  
Strike: "manufactures"

36. Page 5, following line 14,  
Strike: "distributes,"

37. Page 5, line 15,  
Following: "possesses"  
Insert: "with intent to sell"

38. Page 5, line 21,  
Following: "possession"  
Insert: "with intent to sell"

39. Page 5, line 25,  
Following: first "Section"  
Strike: "8"  
Insert: "5"



40. Page 6, line 2,  
Following: "drugs"  
Strike: "or"  
Insert: ",criminal sale of"

41. Page 6, line 3,  
Following: "drugs,"  
Insert: "criminal possession of dangerous drugs with intent to  
sell"

42. Page 6, line 11,  
Following: "Section"  
Strike: "9"  
Insert: "6"

43. Page 6, line 12,  
Following: "through"  
Strike: "7"  
Insert: "4"

44. Page 6, line 14,  
Following: "through"  
Strike: "7"  
Insert: "4"

AmendHB130/BCDII

Exhibit R  
NB130  
1/25/83

HB130/BCDII

NEW SECTION: Section 1. Definitions. As used in [Sections 2 through 5], the following definitions apply:

(1) "dangerous drug" has the meaning given to the term in 50-32-101.

(2) "imitation dangerous drug" means a substance that is not a dangerous drug but that is expressly or impliedly represented to be a dangerous drug or to simulate the effect of a dangerous drug and the appearance of which, including the color, shape, size and markings would lead a reasonable person to believe that the substance is a dangerous drug.

NEW SECTION: Section 2. Criminal sale of imitation dangerous drugs - penalty. (1) A person commits the offense of criminal sale of an imitation dangerous drug if he knowingly or purposely, sells, barter, exchanges, gives away, or offers to sell, barter, exchange, or give away any imitation dangerous drug.

(2) A person convicted of criminal sale of an imitation dangerous drug to a person 18 years of age or older shall be imprisoned in the state prison for a term of not more than five years and may be fined not more than \$25,000.

(3) A person convicted of criminal sale of an imitation dangerous drug to a person under the age of 18 shall be imprisoned in the state prison for a term of not more than 10 years and may be fined not more than \$50,000.

NEW SECTION: Section 3. Criminal possession of imitation dangerous drug with intent to sell - penalty. (1) A person commits the offense of criminal possession of an imitation dangerous drug with intent to sell if he possess with intent to sell any imitation dangerous drug.

(2) A person convicted of criminal possession of an imitation dangerous drug with intent to sell shall be imprisoned in the state prison for a term of not more than 5 years and may be fined not more than \$25,000.

NEW SECTION: Section 4. Exemptions. (1) Sections 2 and 3 do not apply to:

(a) a person authorized by rules adopted by the board of pharmacists to possess with intent to sell or sell imitation dangerous drugs;

(b) law enforcement personnel selling or possessing with intent to sell imitation dangerous drugs while acting within the scope of their employment; and

(c) a person registered under the provisions of Title 50, chapter 32, part 3, who sells or possess with intent to sell an imitation dangerous drug for use as a placebo, by that person or any other person so registered, in the course of professional practice or research.

(2) The board of pharmacists shall adopt, amend or repeal rules in accordance with the Montana Administrative Procedure Act to authorize the possession with intent to sell or sale of imitation

dangerous drugs whenever it determines that there is a legitimate need and that the drugs will be used for a lawful purpose.

Section 5. Section 45-9-202, MCA is amended to read:

45-9-202. Alternative sentencing authority. A person convicted of criminal possession of dangerous drugs, criminal sale of imitation dangerous drugs, criminal possession of imitation dangerous drugs with intent to sell, fraudulently obtaining dangerous drugs, or altering labels on dangerous drugs, as defined in 50-32-101, either from the face of the record or by presentence investigation, may, in lieu of imprisonment, be committed to the custody of any institution for rehabilitative treatment for not less than 6 months or more than 2 years.

NEW SECTION: Section 6. Codification instructions. Sections 1 through 4 are intended to be codified as an integral part of Title 45, chapter 9 and the provisions of Title 45, chapter 9, apply to sections 1 through 4.

NEW SECTION: Section 7. Severability. If a part of this act is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of this act is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications.

HB 130  
Exhibit S  
1/25/83

STATEMENT OF INTENT  
\_\_\_\_ Bill No. \_\_\_\_ [LC 292]

A statement of intent is required for this bill because it gives the Board of Pharmacists the power to adopt rules authorizing persons to possess with intent to sell or sell imitation dangerous drugs.

It is the intention of the legislature that the Board should, as it determines necessary, adopt rules authorizing such persons as school administrators and state officials to possess with intent to sell or sell imitation dangerous drugs while acting within the scope of their employment. The rules should authorize possession with intent to sell or sale only by those persons who have bona fide teaching, testing, or other functions and should not purport to excuse otherwise criminal activity of any type.

WITNESS STATEMENT

Exhibit T  
1/25/83  
HB278

NAME John Holter BILL No. HD-278  
ADDRESS 24 S. Ewing , Helena DATE 25 Jan. 83  
WHOM DO YOU REPRESENT MADD(Montanans Against Drunk Drivers)  
SUPPORT XXX OPPOSE \_\_\_\_\_ AMEND \_\_\_\_\_

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

Mr. Chairman,

Many drivers convicted of D.U.I. have had their licenses revoked for abusing thier privilage of driving a car on Montana ~~highways~~ highways. Giving them back the privilage immediatly makes no sense. Common sense will tell you that they will return back to their old habits. Also, According to Mark Mozer, staff ~~psch~~ psychologist at the state prison, the hardest punishment on the first offense is always the most effective. Since the driving privilage is dear to all Montanans, the complete loss of this privilage will tell the offender that the state of Montana is tired of, and <sup>will</sup> no longer tolerate drunk drivers. Please send a due pass report to the floor of the House.

Thank you,  
*John Holter*  
John Holter

VISITOR'S REGISTER

HOUSE \_\_\_\_\_ JUDICIARY \_\_\_\_\_ COMMITTEE \_\_\_\_\_

BILL House Bill 278

DATE January 25, 1983

SPONSOR Rep. Kemmis

NAME	RESIDENCE	REPRESENTING	SUP- PORT	OP- POSE
D. B. Tooley	Helena	Driver Services	✓	
A. Goike	Helena	High Safety	✓	
Marilyn E. Dauter	7645 Wmont Ave	myself, friends, MADD	✓	
MARC RACIOT	Helena			
Carl Hardy	Helena	Montana Colleges	✓	
M.S. Mulron	Helena	Coroners Office	✓	
Lee Purdy	BOZEMAN	ASMSU	✓	
John Hester	Helena	MADD	✓	
<del>Steve Hitting</del>	<del>Great Falls</del>	<del>self</del>	<del>✓</del>	
Don Mison	St. Falls	SELF	✓	
Mary Ann Hoffman	Helena	SELF	✓	
Julie Fosterder	MICSONLA	ASUM	✓	
B. M. Lrag	Gr Falls	self	✓	
Charlotte Ann	Helena	SELF	✓	
Sherry K. Davis	Great Falls	self-MADD teachers	✓	
SHARON S. FINNEY	GREAT FALLS	MT. PTA	✓	

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

WHEN TESTIFYING PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

VISITOR'S REGISTER

HOUSE JUDICIARY COMMITTEE

BILL House Bill 194

DATE January 25, 1983

SPONSOR Rep. Swift

NAME	RESIDENCE	REPRESENTING	SUP-PORT	OP-POSE
David Brewer	1800 9 AVE S GT Falls MT	Myself		X
Steve Jay	Helena	Shelvia	X	
SHARON S. FINNEY	GREAT FALLS	MONTANA PTA	X	
Maynard A. Olson	Helena	OPT	X	
Wayne Buchanan	Helena	MSBA	X	
M. S. Mulrow	Helena	Coroner Office	X	
Sherry K. Davis	Great Falls	self-teachers - MADD	X	
Lee Purdy	BOZEMAN	ASMSU	X	
John Hiltner	Helena	MADD	X	
Tom Leacock	Helena	SELF		
Steve Hilborg	Great Falls	SELF	✓	
Jan Murray	Gt. Falls	self	✓	
Jerry Hester	Missoula	self	✓	
Mary Ann Hoffman	Helena	self	X	
Charlotte Heron	Helena	"	✓	
Byth L... ..	... Falls	M	✓	
Lynn M. Boone	Helena	self	✓	
Janet Brewer	Butte	SELF		✓

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

WHEN TESTIFYING PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

VISITOR'S REGISTER

HOUSE \_\_\_\_\_ JUDICIARY \_\_\_\_\_ COMMITTEE \_\_\_\_\_

BILL House Bill 195

DATE January 25, 1983

SPONSOR Rep. Swift

NAME	RESIDENCE	REPRESENTING	SUP- PORT	OP- POSE
Jan Berger	Ht. Falls	Self interest	X	
Steve King	Helena	Shodur Hospital	X	
David Brewer	1800 9AVE S GT Falls	Myself		X
SHARON S. FINNEY	GREAT FALLS	MONTANA PTA	X	
Maynard A. Olson	Helena	OPI	X	
Wayne Bruchan	Helena	MSBIA	X	
Mrs. Marie Daubek	9645 N. Mont Line	my family & friends MADD	X	
M. S. Nelson	Helena	Coroner's Office	X	
Sherry K. Davis	Great Falls	self and teachers <sup>MADD</sup>	X	
Lee Purdy	Bozeman	ASMSU	X	
John Holte	Helena	MADD	✓	
Tom Pentecost	Helena	Sec f	✓	
Doc (Morison)	Gr. Falls	SELF	✓	
Steve Hilborg	Gr Falls	self	✓	
Gery Thastie	Missoula	SELF	✓	
Mary Ann Hoffman	Helena	self	X	
Bill Lucas	Ht Falls	self	✓	
Charlotte Hense	Helena	"	✓	

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

WHEN TESTIFYING PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.