

MINUTES OF MEETING
SENATE JUDICIARY COMMITTEE
March 2, 1983

The thirty-third meeting of the Senate Judiciary Committee was called to order by Vice-Chairman Bruce D. Crippen, in the temporary absence of Chairman Turnage, on March 2, 1983 at 10:10 a.m. in Room 325, State Capitol.

ROLL CALL: All members were present, except for Senator Turnage who arrived late.

CONSIDERATION OF HOUSE BILL 589: Representative Schye advised that he was sponsoring this bill at the request of the county attorney in Glasgow. HB589 was introduced because sections 46-8-113 and 46-18-232, MCA, are currently in conflict. HB589 attempts to rectify this conflict by designating which court costs a defendant is responsible for. A letter from David L. Nielsen, Valley County Attorney, was distributed to the Committee which further explains the need for this bill (see attached Exhibit "A").

There being no proponents or opponents present, and no questions from the Committee, the hearing was closed.

CONSIDERATION OF HOUSE BILL 210: Representative Pistoria, sponsor of the bill, advised that its purpose is to deal with those people who fail to maintain liability insurance as mandated by law. Under the provisions of HB210, those persons convicted of not maintaining the mandatory insurance will have their license suspended unless they immediately give to and maintain with the division for one year, proof of financial responsibility.

PROPOSERS: Larry Majerus, representing the Motor Vehicle Division, testified in favor of the bill and advised it would require people to post proof of liability insurance or they will lose their license. He also drew the Committee's attention to the section of the bill which would require the Motor Vehicle Division to send its notice of suspending a driver's license by certified mail. He felt that this would be too expensive and suggested amending the bill to require that a notice is to be mailed with a certificate of mailing. He also suggested the Committee request a fiscal note so they could review the impact certified mailing would cause.

Charles Graveley, representing the County Treasurer's Association, testified in favor of the bill in its current form and with the amendment suggested by Larry Majerus. He urged the Committee to give the bill favorable consideration.

There being no further proponents and no opponents, the hearing was opened to questions from the Committee.

Senator Mazurek was concerned with how the bill would apply to minor children using their parents car and the situation where a person borrows a vehicle which does not have insurance.

Representative Pistoria closed by stating he agreed with the removal of the certified mail requirement as it would put too much of a burden on the state.

CONSIDERATION OF HOUSE BILL 331: Representative Pistoria, sponsor, explained that this is a "paint sniffing" bill. He advised that it was drafted when some paint shops contacted him and asked if Montana had a law against sniffing paint. A letter from California and a copy of their law regarding this subject was distributed to the Committee (see attached Exhibit "B"). Testimony regarding paint sniffing and statistics were also distributed (see attached Exhibit "C"), along with a letter from a Great Falls doctor (see attached Exhibit "D"). Representative Pistoria then stated that he had been advised there is a need for an amendment for excluding University research projects from the provisions of this bill.

PROPOSERS: Larry Weinberg, representing the Montana University System, supported the bill but had discovered a potential problem it could cause to the University. He was concerned that the bill, as written, would apply to research projects. He suggested amending it to exempt these projects. A proposed amendments was then distributed to the Committee (see attached Exhibit "E").

There being no further proponents and no opponents, the hearing was opened to questions from the Committee.

Senator Halligan questioned how you alter your physical state (as referred to in the bill). He was advised that sniffing can cause organic brain damage.

Senator Crippen questioned if the County Attorney's Association or the Attorney General's Office had testified in support of the bill when it was presented in the House. He was advised that they had not but that there were many organizations who favor the bill.

Representative Pistoria closed by stating he had no objections to the exemption of the University research programs.

CONSIDERATION OF HOUSE BILL 320: Representative Hammond advised that he was sponsoring this bill at the request of the Department of Highways. Its major purpose is to remove from current law the ability of the successor in interest of the person from whom land was purchased to force land to be sold and to meet the highest bid. Currently there are law suits over the issue of who is the "successor in interest." The second purpose of the bill is to give the Department the option to sell the land by public auction or sealed bids. It also changes the value of the property for which they must hold public auction or sealed bids from \$100 to \$500.

PROPOSERS: James Beck, representing the Department of Highways, advised that the bill was drafted to implement the recommendations of the legislative auditor. He reviewed the sections of the bill and also the case of State v. Wood which is currently pending.

There being no further proponents and no opponents, the hearing was opened to questions from the Committee.

The Committee discussed and questioned Mr. Beck extensively regarding the ability of the former owner to acquire land and the determination of the successor in interest. Sealed bids and public auctions were also discussed. The Trout Creek case was brought up and Mr. Beck stated that he didn't feel that this bill would have an affect on that property.

There being no further discussion, the hearing was closed.

The Chairman announced that the Committee was ready to consider executive action on several bills previously heard.

ACTION ON HOUSE BILL 589: The Committee reviewed section 25-10-201, MCA, as these costs would be allowed under the provisions of this bill. Senator Halligan advised that many people want to take their criminal cases to trial for the principle of the matter. Senator Mazurek moved HB589 BE CONCURRED IN. This motion carried unanimously.

FURTHER CONSIDERATION OF HOUSE BILL 331: The Committee reviewed the amendment proposed by Larry Weinberg of the Montana University System. It was then referred to counsel for research.

ACTION ON HOUSE BILL 210: The mandatory liability insurance law was discussed and some Committee members felt HB210 was only an additional harassment to people. Senator Mazurek stated that if this bill were enacted people would not only drive without insurance, but they would also drive without a license. Presently there is a \$250 fine for driving while not carrying insurance. Senator Halligan suggested increasing this fine. Senator Shaw moved to TABLE HB210 until further consideration. This motion carried unanimously.

ACTION ON HOUSE BILL 320: The Committee felt they should not support this bill if they believed in their actions when passing SB155. Senator Berg moved to TABLE HB320. Senator Crippen felt this was a wise motion in case the Committee wanted to amend it later. The motion to TABLE passed unanimously.

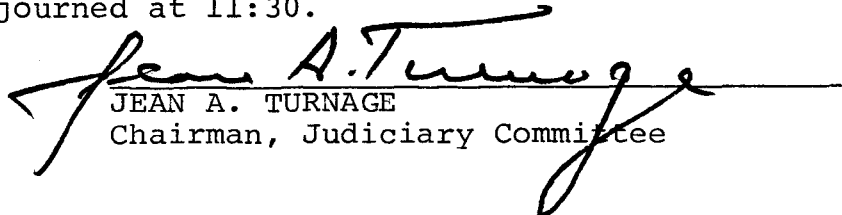
ACTION ON HOUSE BILL 119: Amendments were distributed and reviewed by the Committee. Under the provisions of the bill with the amendments, for the purposes of determining support, the court may consider the level of support received by children on Public Assistance. The law would then be permissive. Senator

Berg moved to adopt the amendments. This motion passed unanimously. Senator Mazurek moved HB119 BE CONCURRED IN AS AMENDED. This motion also carried unanimously.

ACTION ON HOUSE BILL 148: The Committee felt the judge currently has control over attorney fees if there is a complaint that an attorney is overcharging or mis-using insurance proceeds for figuring their fee. The bill was designed to handle an abuse which the court now has the power to address. Senator Galt moved to TABLE HB148. This motion carried with Senator Crippen voting in opposition.

ACTION ON HOUSE BILL 150: Amendments were distributed and reviewed. The Committee had previously adopted amendments which would eliminate the mandatory one day jail sentence. The newly distributed amendment would eliminate that section of the bill which exempts law enforcement personnel from all of the provisions of HB150 when they are acting within the scope of their duties. The Committee felt this was necessary so there would be no confusion that law enforcement personnel could smoke marijuana. Senator Berg moved to adopt this amendment. This motion carried unanimously. The major intent of the bill was to make possession of marijuana a matter of justice court jurisdiction. Senator Halligan moved the bill BE CONCURRED IN AS AMENDED. This motion carried unanimously.

ADJOURN: There being no further business before the Committee, the meeting was adjourned at 11:30.


JEAN A. TURNAGE
Chairman, Judiciary Committee

ROLL CALL

JUDICIARY COMMITTEE

48th LEGISLATIVE SESSION - - 1983

Date 3-2-83

NAME	PRESENT	ABSENT	EXCUSED
	✓		
<u>Berg, Harry K. (D)</u>			
	✓		
<u>Brown, Bob (R)</u>			
	✓		
<u>Crippen, Bruce D. (R)</u>			
	✓		
<u>Daniels, M. K. (D)</u>			
	✓		
<u>Galt, Jack E. (R)</u>			
	✓		
<u>Halligan, Mike (D)</u>			
	✓		
<u>Hazelbaker, Frank W. (R)</u>			
	✓		
<u>Mazurek, Joseph P. (D)</u>			
	✓		
<u>Shaw, James N. (R)</u>			
	✓		
<u>Turnage, Jean A. (R)</u>			

EXHIBIT "A"
March 2, 1983

HB 589
2/11/83

DAVID L. NIELSEN
ATTORNEY AT LAW
402 2ND AVENUE SOUTH . P.O. Box 1187
GLASGOW, MONTANA 59230

406/228-2483

February 4, 1983

Representative Ted Schye
Capitol Station
Helena, Montana 59601

Dear Ted:

The purpose of this letter is to set forth the reason for the proposed amendment of M.C.A. Sec. 46-8-113, as is set forth in House Bill No. 589.

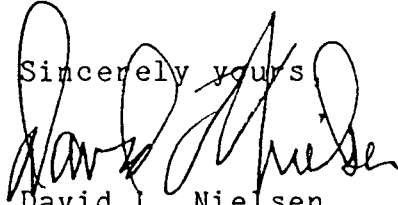
Presently paragraph (2) of 46-8-113 appears to be in conflict with M.C.A. Sec. 46-18-232. M.C.A. Sec. 46-8-113 at the present provides that when a defendant is appointed counsel by the court, then he cannot be made to pay as part of a sentencing those costs which would include expenses inherent in a constitutionally guaranteed jury trial. As a practical matter, the only costs inherent in a jury trial are the costs of jury service. M.C.A. Sec. 46-18-232 specifically allows for a court to require a convicted defendant to pay costs plus costs of jury service as part of his sentence. That section also sets forth the protection for the defendant that he may not be required to pay these costs unless the court makes a determination that he is able to pay the costs and is able to take into account the resources of the defendant and the nature of the burden that payment of these costs will impose. This test which the court is required to apply before ordering costs is the same test set forth in 46-8-113. Since the defendant under both sections is protected from having to pay costs if he is financially unable to do so, there seems to be no reason why a defendant who is sentenced when he has received court appointed counsel should be excused from the payment of costs of jury service as set forth in 46-18-232. At the present it seems that the indigent defendant who has the court appointed counsel who might have an ability to pay the costs in the future is given the benefit of not having to pay those costs for jury service whereas a defendant who has to hire his own attorney could be required to pay the jury costs. The defendant is adequately protected and in order to remove the

Representative Ted Schye
M.C.A. Sections 46-8-113(2)
and 46-18-232
February 4, 1983
Page 2

"A"
3-2-83

confusion it would be best that the amendment proposed in House Bill No. 589 be approved so that the defendants are put on equal footing.

Sincerely yours,

A handwritten signature in black ink, appearing to read "David L. Nielsen", written over the typed name.

David L. Nielsen
Valley County Attorney

"A"
3-2-83

dance with this section and may make minor incidental adjustments consistent with this section as may be necessary to reflect the intent of this section without changing the meaning of the listed sections as amended by this section.

(4) 13-27-205, 13-27-206, 19-11-207, 20-9-435, 23-5-106, 30-13-142, 32-1-236, 32-1-473, 32-1-505, 45-5-104, 45-5-204, 45-5-105, 45-5-201, 45-5-203, 45-5-204, 45-5-304, 45-5-505,

45-5-603, 45-5-613, 45-5-621, 45-6-101 through 45-6-103, 45-6-204, 45-6-301, 45-6-316, 45-6-317, 45-6-325, 45-6-327, 45-7-101, 45-7-102, 45-7-201, 45-7-206 through 45-7-208, 45-8-106, 45-8-215, 45-8-318, 45-8-334, 45-8-335, 45-9-101(4), 45-9-102(4), 45-9-103(3), 45-9-107, 46-18-213, 46-18-502, 46-31-204, 50-38-107, 61-3-604, 81-5-102, and 81-9-118."

46-18-232. Payment of costs by defendant. (1) A court may require a convicted defendant in a felony or misdemeanor case to pay costs, as defined in 25-10-201, plus costs of jury service as a part of his sentence. Such costs shall be limited to expenses specifically incurred by the prosecution in connection with the proceedings against the defendant.

(2) The court may not sentence a defendant to pay costs unless the defendant is or will be able to pay them. In determining the amount and method of payment of costs, the court shall take into account the financial resources of the defendant and the nature of the burden that payment of costs will impose.

(3) A defendant who has been sentenced to pay costs and who is not in default in the payment thereof may at any time petition the court that sentenced him for remission of the payment of costs or of any unpaid portion thereof. If it appears to the satisfaction of the court that payment of the amount due will impose manifest hardship on the defendant or his immediate family, the court may remit all or part of the amount due in costs or modify the method of payment.

History: En. Sec. 2, Ch. 198, L. 1981.

Compiler's Comments

1981 Title: The title to Ch. 198, L. 1981 (SB 14), read: "An act providing for fines and assessment of costs in felony and misdemeanor criminal cases; allowing community service as a condition of deferred or suspended sentences; amending section 46-18-201, MCA."

Interim Study Committee Bill: Chapter 198, L. 1981 (SB 14), was introduced at the request of the interim Committee on Corrections Policy and Facility Needs. See committee report, Legislative Council, 1980.

46-18-233. Fine or costs as a condition on suspended or deferred sentence. (1) Whenever a defendant is sentenced to pay a fine or costs under 46-18-231 or 46-18-232 and the imposition or execution of the rest of his sentence is deferred or suspended, the court may make payment of the fine or costs a condition for probation.

(2) A suspended or deferred sentence may not be revoked if the defendant defaults on the payment of the fine and the default is not attributable to an intentional refusal to obey the order of the court or a failure to make a good faith effort to make the payment.

History: En. Sec. 3, Ch. 198, L. 1981.

46-18-234. When payment of fine or costs due. Whenever a defendant is sentenced to pay a fine or costs under 46-18-231 or 46-18-232, the court may grant permission for payment to be made within a specified period of time or in specified installments. If no such permission is included in the sentence, the payment is due immediately.

History: En. Sec. 4, Ch. 198, L. 1981.



State of California
Department of Justice
George Deukmejian
(PRONOUNCED DUKE-MAY-GIN)
Attorney General

555 CAPITOL MALL, SUITE 350
SACRAMENTO 95814
(916) 445-9555

EXHIBIT "B"
March 2, 1983

Rec'd - Mon - Dec. 20th, 1982

Mr. Paul Pistoria
State Representative
Montana State House of Representatives
2421 Central Ave.
Great Falls, Montana 59401

December 17, 1982

for HB-331

Dear Mr. Pistoria:

This is in response to your recent letter requesting information.

Enclosed is a copy of penal Code section 381 which appears to be the statute you request.

We hope to have been of assistance to you in this matter.

Very truly yours,

George Deukmejian
Attorney General

[Signature]
Jon P. Lippsmeyer
Public Inquiry Unit

JPL:pfs
Enclosure

components as beads, tiles, Tiffany glass, ceramics, clay, or other craft-related components.

(Added by Stats.1979, c. 1165, § 1. Amended by Stats.1980, c. 1011, § 1.)

Former § 381 was repealed by Stats.1978, c. 438, § 1.

§ 381. Toluene and substances with similar toxic qualities; possession and under the influence

(a) Any person who possesses toluene or any substance or material containing toluene, including, but not limited to, glue, cement, dope, paint thinner, paint and any combination of hydrocarbons, either alone or in combination with any substance or material including but not limited to paint, paint thinner, shellac thinner, and solvents, with the intent to breathe, inhale or ingest for the purpose of causing a condition of intoxication, elation, euphoria, dizziness, stupefaction, or dulling of the senses or for the purpose of, in any manner, changing, distorting or disturbing the audio, visual, or mental processes, or who knowingly and with the intent to do so is under the influence of toluene or any material containing toluene, or any combination of hydrocarbons is guilty of a misdemeanor.

(b) Any person who possesses any substance or material, which the State Department of Health Services has determined by regulations adopted pursuant to the Administrative Procedures Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 2 of Title 2 of the Government Code) has toxic qualities similar to toluene, with the intent to breathe, inhale, or ingest for the purpose of causing a condition of intoxication, elation, euphoria, dizziness, excitement, irrational behavior, exhilaration, satisfaction, stupefaction, or dulling of the senses or for the purpose of, in any manner, changing, distorting or disturbing the audio, visual, or mental processes, or who is under the influence of such substance or material is guilty of a misdemeanor.

(Added by Stats.1980, c. 1011, § 3.)

Former § 381 was repealed by Stats.1980, c. 1011, § 2.

Cross References

Misdemeanor.

Defined, see § 17.

Punishment, see §§ 19, 19a.

§ 381a. Dairy products; use of inaccurate or false testing devices; punishment

Any person, or persons, whether as principals, agents, managers, or otherwise, who buy or sell dairy

products, or deal in milk, cream or butter, and who buy or sell the same upon the basis of their richness or weight or the percentage of cream, or butter-fat contained therein, who use any apparatus, test bottle or other appliance, or who use the "Babcock test" or machine of like character for testing such dairy products, cream or butter, which is not accurate and correct, or which gives wrong or false percentages, or which is calculated in any way to defraud or injure the person with whom he deals, is guilty of a misdemeanor, and upon conviction shall be fined not more than five hundred dollars (\$500.00) or imprisoned in the county jail not more than six (6) months. (Added by Stats.1901, c. 148, § 1.)

Cross References

Babcock test, see Food and Agricultural Code § 34261 et seq. Definitions.

Butter, see Food and Agricultural Code § 37161.

Cream, see Food and Agricultural Code § 32504.

Milk, see Food and Agricultural Code § 32511.

Milk and dairy products, misrepresentation in sale of milk, see Food and Agricultural Code §§ 32902, 34201, 35758, 36061 et seq. Prohibited sale of ungraded milk where inspection service established, see Food and Agricultural Code § 35755.

Testing of dairy products, see Food and Agricultural Code §§ 34321 et seq., 62551 et seq.

§ 381b. Repealed by Stats.1939, c. 514, § 1

See, now, Food & Agric.C. § 34321 et seq.

§ 382. Adulteration of food, beverages, drugs, medicines, or liquors; sale of adulterated items; offense; defense by dealer

Every person who adulterates or dilutes any article of food, drink, drug, medicine, spirituous or malt liquor, or wine, or any article useful in compounding them, with the fraudulent intent to offer the same, or cause or permit it to be offered for sale as unadulterated or undiluted; and every person who fraudulently sells, or keeps or offers for sale the same, as unadulterated or undiluted, or who, in response to an inquiry for any article of food, drink, drug, medicine, spirituous or malt liquor, or wine, sells or offers for sale, a different article, or an article of a different character or manufacture, without first informing such purchaser of such difference, is guilty of a misdemeanor; provided, that no retail dealer shall be convicted under the provisions of this section if he shall prove a written guaranty of purity obtained from the person from whom he purchased such adulterated or diluted goods.

(Enacted 1872. Amended by Stats.1903, c. 254, § 1.

EXHIBIT "C"
March 2, 1983

HUR W.D. 331
Paint Sniff Bill

THE NEWBERRY LIBRARY CENTER FOR THE HISTORY OF THE AMERICAN INDIAN

1/17/81

Presented by Justice of Peace
Melvin Vance, St. Falls

To Whom it May Concern:

On a recent trip to Montana, in January 1981, I confronted an issue, complicated in nature, paint sniffing. I was particularly disturbed to discover that Montana law has no provisions to deal with this growing social problem, and no grounds to reprimand persons to detox programs for effective treatment and rehabilitation.

Let me explain my professional reactions to the problem as I encountered paint sniffing in Great Falls several weeks ago, and my recommendations from a cultural and social perspective on the underlying influences on the immediate problem.

I am a cultural anthropologist who has spent much time in Montana, getting to know the people on the Ft. Belknap and Ft. Peck reservations. While visiting an older couple on one of these reservations, I participated in a trip to Great Falls to attempt a "rescue" of one of their daughters currently caught up in the habit of paint sniffing. She was living, as of two weeks ago, in a house with a group of people where paint sniffing was apparently an on-going accepted behavior. Wasting away due to a lack of food, all the financial resources of this group are directed to getting high on spray paint. The situation is particularly pathetic, because most of this group are young Indians. Certainly the problem abounds among non-Indian as well, but the situation in Great Falls appears at this time to involve primarily Indian people. Some of these individuals have had bouts alcoholism previously, and the entanglement in paint sniffing is the surface consequence of a larger problem.

Many individuals, Indian and non-Indian, have trouble achieving self satisfaction and fulfillment. This situation is particularly acute among many younger Indian people I have met in Montana. Many have abandoned education as a false promise for a wide range of reasons, from teenage pregnancy to no viable career opportunities ever really being offered to them. The incongruence many feel is wanting the good times, reflected in the media and press, but seeing no way to participate economically. Therefore, it becomes an easy way around the situation to get high, and to stay high to cover up their frustrations and their non-membership in the large American way of life. Many take the little resources they have, and get high, even to the danger of self destruction, rather than face the overwhelming frustrations of being outsiders in their own land. Many just give up on life. I am just touching on the background of many who are caught up in this habit, which is so physically destructive. I certainly can not speak for these people, rather the complexity of circumstances individual and cultural that come into interplay, in my opinion, must be understood if this malaise is to be eliminated.

I would urge you to provide a legal framework that discourages the destructive behaviors of paint sniffing. Secondly, I recommend sending persons caught up in this habit to effective detox programs. Such treatment programs may need to be coordinated with the alcohol and drug abuse programs on their home reservations. Certainly, intensive counselling is in order, and therapies may need to be discovered that reach the basic problems of self satisfaction and individual fulfillment. The possibility also must be recognized that many habitual paint sniffers may already have suffered brain damage to an extent to require indefinite institutionalization. Rehabilitation for this social problem is not easy or simple, but the problem must be recognized first.

Sincerely yours,

David R. Miller

Miller - Inguois Project - 719

INTER-OFFICE MEMORANDUM

FILE: _____

CITY OF GREAT FALLS, MONTANA

"C"
3-2-83

TO: Captain Dull

DATE 24 January 1983

FROM: Midge Warrington

REPLY REQUESTED ON OR BEFORE: _____

SUBJECT: Arrests resulting from "Paint/Glue Sniffing"

The following list compiles those incidents during 1982 where the specific use of paint or glue being sniffed resulted in contact by officers of this department and subsequent arrests. The only category checked in our files was "Disorderly Conduct", the major category where arrests for paint sniffing are recorded. There are other categories where the abuse of paint or glue could be found, including "Complaint/General; Citizen Assist; Disturbances; Assaults". However, checking physically each report in the above categories would require a great amount of time, and would in all likelihood be inaccurate in total count and unproductive, as in most cases the contribution to the offense by the abuse of paint or glue would probably not be mentioned, and in many cases, the CR card would be simply circled "No Report Required" if no arrest was made and the individual(s) were simply sent on their way.

As indicated below, the department in 1982 had 37 specific instances of abuse of paint or glue which resulted in 59 arrests.

CR#	Date	Result	CR#	Date	Result
03209	2-13-82	1 arrest; 1 to hospital	19155	8-12-82	2 arrests
03903	2-22-82	1 arrest	22845	9-23-82	3 arrests
04289	2-27-82	2 arrests	23364	9-30-82	2 arrests
04633	3-4-82	2 arrests	23459	10-1-82	1 arrest
05686	3-18-82	1 arrest	23855	10-6-82	2 arrests
05991	3-21-82	3 arrests	24924	10-19-82	2 arrests
06793	4-1-82	2 arrests	25491	10-26-82	1 arrest
08381	4-20-82	1 arrest	26197	11-5-82	2 arrests
08614	4-23-82	2 arrests	26692	11-16-82	1 arrest
09215	4-30-82	2 arrests	27048	11-16-82	1 arrest
09896	5-8-82	3 arrests	27184	11-18-82	1 arrest
09906	5-8-82	1 arrest	27989	11-29-82	2 arrests
10006	5-9-82	1 arrest	28855	12-10-82	1 arrest
10713	5-17-82	3 arrest; 1 to hospital	29128	12-14-82	1 arrest
10896	5-20-82	1 arrest-later to hospital	30245	12-29-82	2 arrests
11061	5-22-82	1 arrest			
11924	6-1-82	1 arrest			
13451	6-17-82	1 arrest			
14534	6-27-82	2 arrests			
15010	7-1-82	1 arrest			
15293	7-4-82	2 arrests			
16337	7-15-82	1 arrest			

EXHIBIT "D"
March 2, 1983

GREAT FALLS CLINIC

P. O. BOX 5012
1220 CENTRAL AVENUE
GREAT FALLS, MONTANA 59403
PHONE (406) 454-2171

FOR H.B. 331

January 25, 1983

Honorable Gladys Vance
Justice of the Peace
Great Falls, MT 59401

Dear Judge Vance:

Pat LaRocque asked me to dictate a letter in regards to paint sniffing and pregnancy. This has been a problem in this community among a select group of parents.

We have seen at least two children with significant birth anomalies presumably related to the parents chemical dependence. Unfortunately, the chemical abuse is often times a mixture of chemicals as well as poor dietary intake.

Specifically being able to diagnose a physical finding as the result of a particular chemical is not possible. I have spoken with authorities in Atlanta as well as the Rocky Mountain Poison Center and they are unaware of specific data that has ever been gleaned in regards to the related defects with paint sniffing.

I am strongly in support of a paint sniffing statute in this community and it receives my full support.

If I can be of further assistance or help, please do not hesitate to write or call.

Sincerely yours,

Jeffrey P. Hinz, M.D.

JPH/kc

INTERNAL MEDICINE

F. J. ALLAIRE, M.D.
D. E. ANDERSON, M.D.
R. D. BLEVINS, M.D.
PULMONARY DISEASE
G. A. BUFFINGTON, M.D.
NEPHROLOGY
S. J. EFFERTZ, M.D.
RHEUMATOLOGY
J. D. EIDSON, M.D.
K. A. GUTER, M.D.
ONCOLOGY
W. H. LABUNETZ, M.D.
NEUROLOGY—EEG
T. J. LENZ, M.D.
W. N. MILLER, M.D.
GASTROENTEROLOGY
W. N. PERSON, M.D.
T. W. ROSENBAUM, M.D.
NEPHROLOGY
J. D. WATSON, M.D.
CARDIOLOGY

OBSTETRICS AND GYNECOLOGY

R. E. ASMUSSEN, M.D.
P. L. BURLEIGH, M.D.
R. L. MCCLURE, M.D.
G. K. PHILLIPS, M.D.

PEDIATRICS

J. W. BRINKLEY, M.D.
J. A. CURTIS, M.D.
J. M. EICHNER, M.D.
J. R. HALSETH, M.D.
T. E. HARPER, M.D.
J. P. HINZ, M.D.

PSYCHIATRY

D. E. ENGSTROM, M.D.

PSYCHOLOGY

E. E. SHUBAT, PH. D.

SURGERY

W. P. HORST, M.D.
UROLOGY
R. E. LAURITZEN, M.D.
GENERAL AND VASCULAR
J. E. MUNGAS, M.D.
VASCULAR SURGERY
L. M. TAYLOR, M.D.
GENERAL AND THORACIC
W. C. VASHAW, M.D.
GENERAL AND VASCULAR

ADMINISTRATION

W. D. TAYLOR
M. D. MISSIMER

EXHIBIT "E"
March 2, 1983

Amend HB 331

1. Page 1, line 18
Following: line 17
Insert: "(2) The provisions of this section do not apply to a bonafide institution of higher education conducting research with human volunteers pursuant to guidelines promulgated by the federal department of health and human services."
or their equivalent
2. Page 2, line 18
Strike: "(2)"
Insert: "(3)"

STANDING COMMITTEE REPORT

March 2,

19 93

MR. PRESIDENT

We, your committee on Judiciary

having had under consideration House Bill No. 119
Mueller (Brown)

Respectfully report as follows: That House Bill No. 119
third reading bill, be amended as follows:

1. Page 2, lines 3 and 4.
Strike: "A MINIMUM AMOUNT FOR"
2. Page 2, lines 8 through 17.
Following: "assistance"
Strike: the remainder of line 8 through line 17.

And, as so amended,

~~DO PASS~~ BE CONCURRED IN

4/16.

STANDING COMMITTEE REPORT

March 2,

19 83

MR. PRESIDENT

We, your committee on Judiciary

having had under consideration House Bill No. 150

Peck (Malligan)

Respectfully report as follows: That House Bill No. 150

third reading bill, be amended as follows:

1. Title, lines 7 through 10.
Strike: "AND TO" through "DUTY;"
2. Page 2, line 23.
Strike: "LESS THAN 1 DAY OR"
Strike: "AND"
3. Page 2, line 24.
Strike: "JAIL SENTENCE"
Following: "AS"
Insert: "A"
Strike: "CONDITIONS"
Insert: "CONDITION"

Continued on Page 2

And, as so amended,

~~XXXXX~~ BE CONCURRED IN
~~DO PASS~~

Handwritten initials

4. Page 3, line 21.
Following: "SENTENCE"
Insert: "OF IMPRISONMENT"
5. Page 3, line 22.
Strike: subsection (6) in its entirety.
Renumber: subsequent subsections.

And, as amended,

BE CONCURRED IN

STANDING COMMITTEE REPORT

March 2, 19 83

MR. PRESIDENT

We, your committee on Judiciary

having had under consideration House Bill No. 589

Schye (Daniels)

Respectfully report as follows: That House Bill No. 589

third reading bill,

BE CONCURRED IN

~~DO PASS~~

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