2 INTRODUCED BY Bandaname Such Musean

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A BILL FOR AN ACT ENTITLED: "AN ACT TO CONSOLIDATE ALL FUNCTIONS OF STATE GOVERNMENT DEALING WITH ADDICTIVE DISEASES IN THE DEPARTMENT OF INSTITUTIONS; AMENDING SECTIONS 69-6203 AND 69-6212."

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

10 Section 1. Section 69-6203, R.C.M. 1947, is amended to 11 read as follows:

"69-6203. Duties of department--department authorized to accept gifts--enter into contracts--acquire and dispose of property. (1) The department of health-end-environmental sciences institutions, hereafter referred to as department

17 (a) Plan, promote, and assist in the support of 18 alcohol and drug dependence prevention, treatment, and 19 control programs;

in this Chapter, shall:

- 20 (b) Conduct, sponsor, and support research,
 21 investigations, and studies, including evaluation, of all
 22 phases of alcohol and drug dependence;
- 23 (c) Assist the development of educational and training 24 programs relative to alcohol and drug dependence, and carry 25 on programs to assist the public, and technical and

l professional groups, in becoming fully informed about

- 2 alcohol and drug dependence;
- 3 (d) Promote, develop, and assist, financially and 4 otherwise, alcohol and drug dependence programs administered 5 by other state agencies, local government agencies, and
- 6 private nonprofit organizations and agencies;
- 7 (e) Encourage and promote effective use of facilities, 8 resources, and funds in the planning and conduct of programs
- 9 and activities for prevention, treatment, and control of
- 10 alcohol and drug dependence and, in this respect, cooperate
- 11 with and utilize to the maximum possible extent the
- 12 resources and services of federal, state, and local
- 13 agencies.

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- 14 (2) To carry out this act, the department may:
- 15 (a) Accept gifts, grants, and donations of money and 16 property from public and private sources;
- 17 (b) Enter into contracts:
- 18 (c) Acquire and dispose of property."
- 19 Section 2. Section 69-6212, R.C.M. 1947, is amended to read as follows:
- 21 *69-6212. Definitions. For purposes of this act:
- 22 (1) "alcoholic" means a person who habitually lacks
- 23 self-control as to the use of alcoholic beverages, or uses
- 25 substantially impaired or endangered or his social or

alcoholic beverages to the extent that his health is

economic function is substantially disrupted;

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- (2) "approved private treatment facility" means a private agency meeting the standards prescribed in section 69-6216 (1) and approved under section 69-6216;
- 5 (3) "approved public treatment facility" means a
 6 treatment agency operating under the direction and control
 7 of the department or providing treatment under this act
 8 through a contract with the department and approved under
 9 section 69-6216;
- 10 (4) "department" means the department of health-and

 11 environmental-ssiences institutions provided for in section

 12 62A-601 32A-801, R.C.M. 1947;
- 13 (5) "incapacitated by alcohol" means that a person, as
 14 a result of the use of alcohol, is unconscious or has his
 15 judgment otherwise so impaired that he is incapable of
 16 realizing and making a rational decision with respect to his
 17 need for treatment;
- 18 (6) "incompetent person" means a person who has been 19 adjudged incompetent by the district court;
- 20 (7) "intoxicated person" means a person whose mental
 21 or physical functioning is substantially impaired as a
 22 result of the use of alcohol:
- 23 (8) "treatment" means the broad range of emergency,
 24 outpatient, intermediate, and inpatient services and care,
 25 including diagnostic evaluation, medical, psychiatric,

- 1 psychological, and social service care, vocational
- 2 rehabilitation and career counseling, which may be extended
- 3 to alcoholics and intoxicated persons.*
- 4 Section 3. There is a new R.C.M. section that reads as
- 5 follows:
- 6 Administration of federal program. The department of
- 7 institutions is hereby designated the single state agency
- 8 for the administration of federal programs under:
- 9 (1) the Drug Abuse Office and Treatment Act of 1972,
- 10 Public Law 92-255 as amended, 21 U.S.C. section 1176; and
- 11 (2) the Comprehensive Alcohol Abuse and Alcoholism
- 12 Prevention, Treatment and Rehabilitation Act of 1970, Public
- 13 Law 91-616 as amended, 42 U.S.C. section 4573.
- 14 Section 4. The provisions of sections 82A-116 through
- 15 82A-122 are applicable to this act.

-End-

SECOND READING
MISSING

1 2 INTRODUCED BY Bandanouse Kish Muce

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4 A BILL FOR AN ACT ENTITLED: "AN ACT TO CONSOLIDATE ALL FUNCTIONS OF STATE GOVERNMENT DEALING WITH ADDICTIVE

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6 DISEASES IN THE DEPARTMENT OF INSTITUTIONS; AMENDING

7 SECTIONS 69-6203 AND 69-6212."

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

10 Section 1. Section 69-6203, R.C.M. 1947, is amended to

11 read as follows:

to accept gifts--enter into contracts--acquire and dispose

14 of property. (1) The department of health-and-environmental

15 seiences institutions, hereafter referred to as department

16 in this chapter, shall:

- 17 (a) Plan, promote, and assist in the support of 18 alcohol and drug dependence prevention, treatment, and
- 19 control programs;
- 20 (b) Conduct, sponsor, and support research,
- 21 investigations, and studies, including evaluation, of all
- 22 phases of alcohol and drug dependence;
- 23 (c) Assist the development of educational and training
- 24 programs relative to alcohol and drug dependence, and carry
- 25 on programs to assist the public, and technical and

1 professional groups, in becoming fully informed about

- 2 alcohol and drug dependence;
- 3 (d) Promote, develop, and assist, financially and
- 4 otherwise, alcohol and drug dependence programs administered
- 5 by other state agencies, local government agencies, and
- 6 private nonprofit organizations and agencies;
- 7 (e) Encourage and promote effective use of facilities,
- resources, and funds in the planning and conduct of programs
- and activities for prevention, treatment, and control of
- 10 alcohol and drug dependence and, in this respect, cooperate
- 11 with and utilize to the maximum possible extent the
- 12 resources and services of federal, state, and local
- 13 agencies.
- 14 (2) To carry out this act, the department may:
- 15 (a) Accept gifts, grants, and donations of money and
- 16 property from public and private sources;
- 17 (b) Enter into contracts;
- 18 (c) Acquire and dispose of property."
- 19 Section 2. Section 69-6212, R.C.M. 1947, is amended to
- 20 read as follows:
- 21 "69-6212. Definitions. For purposes of this act:
- 22 (1) "alcoholic" means a person who habitually lacks
- 23 self-control as to the use of alcoholic beverages, or uses
- 24 alcoholic beverages to the extent that his health is
- 25 substantially impaired or endangered or his social or

economic	function	is	substantially	disrupted:
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- (2) "approved private treatment facility" means a private agency meeting the standards prescribed in section 69-6216 (1) and approved under section 69-6216;
- (3) "approved public treatment facility" means a treatment agency operating under the direction and control of the department or providing treatment under this act through a contract with the department and approved under section 69-6216;
- (4) "department" means the department of health-and environmental-sciences institutions provided for in section 92A-601 82A-801, R.C.M. 1947;
- (5) "incapacitated by alcohol" means that a person, as a result of the use of alcohol, is unconscious or has his judgment otherwise so impaired that he is incapable of realizing and making a rational decision with respect to his need for treatment:
- 18 (6) "incompetent person" means a person who has been 19 adjudged incompetent by the district court;
- 20 (7) "intoxicated person" means a person whose mental
 21 or physical functioning is substantially impaired as a
 22 result of the use of alcohol;
- 23 (8) "treatment" means the broad range of emergency, 24 outpatient, intermediate, and inpatient services and care, 25 including diagnostic evaluation, medical, psychiatric,

- psychological, and social service care, vocational rehabilitation and career counseling, which may be extended to alcoholics and intoxicated persons."
- 4 Section 3. There is a new R.C.M. section that reads as 5 follows:
- Administration of federal program. The department of institutions is hereby designated the single state agency for the administration of federal programs under:
- 9 (1) the Drug Abuse Office and Treatment Act of 1972, 10 Public Law 92-255 as amended, 21 U.S.C. section 1176; and
- 11 (2) the Comprehensive Alcohol Abuse and Alcoholism
 12 Prevention, Treatment and Rehabilitation Act of 1970, Public
- 13 Law 91-616 as amended, 42 U.S.C. section 4573.
- 14 Section 4. The provisions of sections 82A-116 through 15 82A-122 are applicable to this act.

-End-

SENATE COMMITTEE ON STATE ADMINISTRATION AMENDMENTS TO HOUSE BILL NO. 699

That House Bill No. 699, third reading, be amended as follows:

2. Amend title, line 7.

Following: "69-6203"

Strike: "AND" Insert: ","

Amend title, line 7.

Following: "69-6212"

Insert: "69-6225; renumbering sections 69-6201, 69-6204 through 69-6207, 69-6211, 69-6213 through 69-6224; and amending sections 82A-601.1 and 82A-801.1"

4. Amend page 1, section 1, line 10. Following: "is"

Insert: "renumbered 80-2702, and"

5. Amend page 1, section 1, line 12.

Strike: "69-6203" Insert: "80-2702"

6. Amend page 2, section 2, line 19.

Following: "is"

Insert: "renumbered 80-2709, and"

7. Amend page 2, section 2, line 21.

Strike: "69-6212" Insert: "80-2709"

8. Amend page 4, section 2, line 3.

Following: line 3

Insert: "Section 3. Section 69-6225, R.C.M. 1947, is renumbered 80-2722, and is amended to read as follows:

"69-6225 80-2722. Departmental reports to legislature. The department and-the-department-of-institutions shall achieve full implementation of the provisions of the act, as set forth in this chapter and related sections, no later than January 1, 1976. A progress report on the implementation shall be made to the 1975 legislative session. Thereafter the departments department shall report, to each legislative session, on the status of the implemented act. This report, or any part thereof, may be included as the department's state plan for alcohol abuse and alcoholism."

Renumber: All subsequent sections

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9:
    Amend page 4, section 3, line 4.
         Following:
                     "R.C.M. section"
         Insert: "numbered 80-2703"
10.
    Amend page 4, section 3, line 6.
        Following: line 5
         Insert: "80-2703."
11.
    Amend page 4, section 4, line 15.
        Following: line 15
         Insert: "Section 6. Section 69-6201 is renumbered 80-2701,
     69-6204 is renumbered 80-2704, 69-6205 is renumbered 80-2705,
     69-6206 is renumbered 80-2706, 69-6207 is renumbered 80-2707,
     69-6211 is renumbered 80-2708, 69-6213 is renumbered 80-2710,
     69-6214 is renumbered 80-2711, 69-6215 is renumbered 80-2712,
     69-6216 is renumbered 80-2713, 69-6217 is renumbered 80-2714,
    69-6218 is renumbered 80-2715, 69-6219 is renumbered 80-2716,
     69-6220 is renumbered 80-2717, 69-6221 is renumbered 80-2718,
     69-6222 is renumbered 80-2719, 69-6223 is renumbered 80-2720, and
     69-6224 is renumbered 80-2721."
         Section 7. Section 82A-601.1, R.C.M. 1947, is amended to
    read as follows:
          "82A-601.1.
                       Functions of department. The department and
    its units have responsibility for the administration of laws
    relating to public health, including, but not limited to, laws on:
          (1)
              Food services (Title 27, chapter 6);
          (2)
              Foods, drugs, and cosmetics (Title 27, chapter 7);
              Flour and bread (Title 27, chapter 8);
          (3)
          (4)
              Lodging establishments (Title 34, chapter 3);
          (5)
               Sanitarians (Title 69, chapter 34);
          (6)
               Ambulance services (Title 69, chapter 36);
               Air pollution (Title 69, chapter 39);
          (7)
          (8)
               Refuse disposal areas (Title 69, chapter 40);
          (9)
               Industrial hygiene (Title 69, chapter 42);
              Tuberculosis control (Title 69, chapter 43);
         (10)
         (11)
              Vital statistics (Title 69, chapter 44);
         (12)
              Local boards of health (Title 69, chapter 45);
         (13)
              Venereal disease control (Title 69, chapter 46);
         (14)
              Shoddy control (Title 69, chapter 47);
         (15)
              Water pollution (Title 69, chapter 48);
         (16)
              Public water supplies (Title 69, chapter 49);
         (17)
              Subdivisions (Title 69, chapter 50);
         (18)
              Cadavers (Title 69, chapter 51);
              Hospitals and related facilities (Title 69, chapter 52);
         (19)
         (20)
              Hospital survey and construction (Title 69, chapter 53);
         (21)
              Cesspools, septic tanks, and privies, etc. (Title 69,
    chapter 54);
         (22)
              Public swimming pools and bathing places (Title 69,
    chapter 55);
              Tourist campgrounds (Title 69, chapter 56);
         (23)
         (24)
              Control of ionizing radiation (Title 69, chapter 58);
         (25)
              Water treatment plants and distribution systems (Title
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69, chapter 59); Refuse disposal districts (Title 69, chapter 60). (27) -- Alcohol-a: d-drug-dependence - (Title-69, -chapter-62) -Section 8. Section 82A-801.1, R.C.M. 1947, is amended to read as follows: "82A-801.1. Functions of department. The department and its units are responsible for the administration of laws relating to institutions, including but not limited to, laws pertaining to: District youth guidance homes (Title 10, chapter 11); (1)Warm Springs state hospital (Title 38, chapter 1); (2) Examination and commitment of persons mentally deranged (Title 38, chapter 2); (4) Patient transfers (Title 38, chapter 3); Examination of patients and voluntary admissions (Title 38, chapter 4); Convalescent leave of patients (Title 38, chapter 5); (6) (7) Voluntary sterilizations (Title 69, chapter 64); Juvenile facilities (Title 80, chapter 14); (8) Institutional industries (Title 80, chapter 15); (9) (10)Payments for care of patients (Title 80, chapter 16); Galen state hospital (Title 80, chapter 17); (11)Montana veterans' home (Title 80, chapter 18); (12)State prison (Title 80, chapter 19); (13)Montana childrens center (Title 80, chapter 21); (14)Mountain View school and Pine Hills school (Title 80, (15)chapter 22); Boulder river school and hospital (Title 80, chapter 23); (16)Mental hygiene services and mental health centers (17)(Title 80, chapter 24); Montana center for the aged (Title 80, chapter 25); (18)Mental retardation programs (Title 80, chapter 26); (19)Probation, parole, and clemency (Title 94, chapter 98) +; (20)Alcohol and drug dependence (Title 80, chapter 27)." (21)

HB 0699/02 H3 0699/02 44th Legislature

1	HOUSE BILL NO. 699				
2	INTRODUCED BY BARDANOUVE, GERKE, MERCER				
3					
4	A BILL FOR AN ACT ENTITLED: "AN ACT TO CONSOLIDATE ALL				
5	FUNCTIONS OF STATE GOVERNMENT DEALING WITH ADDICTIVE				
6	DISEASES IN THE DEPARTMENT OF INSTITUTIONS; AMENDING AND				
7	RENUMBERING SECTIONS 69-6203 AND _ 69-6212 AND 69-6225;				
8	RENUMBERING SECTIONS 69-6201, 69-6204 THROUGH 69-6207,				
9	69-6211, 69-6213 THROUGH 69-6224; AND AMENDING SECTIONS				
10	82A-601.1 AND 82A-801.1.*				
11					
12	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:				
13	Section 1. Section 69-6203, R.C.M. 1947, is RENUMBERED				
14	80-2702, AND amended to read as follows:				
15	*69-6203 80-2702. Duties of departmentdepartment				
16	authorized to accept giftsenter into contractsacquire				
17	and dispose of property. (1) The department of healthand				
18	environmentalsciences institutions, hereafter referred to				
19	as department in this chapter, shall:				
20	(a) Plan, promote, and assist in the support of				
21	alcohol and drug dependence prevention, treatment, and				
22	control programs;				
23	(b) Conduct, sponsor, and support research,				
24	investigations, and studies, including evaluation, of all				
25	phases of alcohol and drug dependence;				

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- 1 (c) Assist the development of educational and training 2 programs relative to alcohol and drug dependence, and carry on programs to assist the public, and technical and 3 professional groups, in becoming fully informed 4 5 alcohol and drug dependence;
- (d) Promote, develop, and assist, financially and 6 otherwise, alcohol and drug dependence programs administered 8 by other state agencies, local government agencies, and 9 private nonprofit organizations and agencies;
- 10 (e) Encourage and promote effective use of facilities, 11 resources, and funds in the planning and conduct of programs 12 and activities for prevention, treatment, and control of 13 alcohol and drug dependence and, in this respect, cooperate 14 with and utilize to the maximum possible extent the 15 resources and services of federal, state, and local 16 agencies.
 - (2) To carry out this act, the department may:
- 18 (a) Accept gifts, grants, and donations of money and 19 property from public and private sources;
- 20 (b) Enter into contracts:

17

- 21 (c) Acquire and dispose of property."
- 22 Section 2. Section 69-6212, R.C.M. 1947, is RENUMBERED
- 80-2709, AND amended to read as follows: 2.3
- 24 "69-6212 80-2709. Definitions. For purposes of this 25 act:

(1) "alcoholic" means a person who habitually lacks self-control as to the use of alcoholic beverages, or uses alcoholic beverages to the extent that his health is substantially impaired or endangered or his social or economic function is substantially disrupted;

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- 6 (2) *approved private treatment facility* means a
 7 private agency meeting the standards prescribed in section
 8 69-6216 (1) and approved under section 69-6216;
 - (3) "approved public treatment facility" means a treatment agency operating under the direction and control of the department or providing treatment under this act through a contract with the department and approved under section 69-6216;
 - (4) "department" means the department of health-and environmental-sciences institutions provided for in section 62A-601 82A-801, R.C.M. 1947;
 - (5) "incapacitated by alcohol" means that a person, as a result of the use of alcohol, is unconscious or has his judgment otherwise so impaired that he is incapable of realizing and making a rational decision with respect to his need for treatment;
- 22 (6) "incompetent person" means a person who has been 23 adjudged incompetent by the district court;
- 24 (7) "intoxicated person" means a person whose mental 25 or physical functioning is substantially impaired as a

1 result of the use of alcohol;

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(8) "treatment" means the broad range of emergency, outpatient, intermediate, and inpatient services and care, including diagnostic evaluation, medical, psychiatric, psychological, and social service care, vocational rehabilitation and career counseling, which may be extended to alcoholics and intoxicated persons."

SECTION 3. SECTION 69-6225, R.C.M. 1947, IS
RENUMBERED 80-2722, AND IS AMENDED TO READ AS FOLLOWS:

10 *69-6225 80-2722. Departmental reports to legislature. 11 The department and--the--department--of--institutions shall 12 achieve full implementation of the provisions of the act, as 13 set forth in this chapter and related sections, no later 14 than January 1, 1976. A progress report on the 15 implementation shall be made to the 1975 legislative 16 session. Thereafter the departments department 17 report, to each legislative session, on the status of the implemented act. This report, or any part thereof, may be 18 included as the department's state plan for alcohol abuse 19 and alcoholism." 20

21 Section 4. There is a new R.C.M. section NUMBERED 22 80-2703 that reads as follows:

23 <u>80-2703.</u> Administration of federal program. The 24 department of institutions is hereby designated the single 25 state agency for the administration of federal programs

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-4- H3 699

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1	under:	1	<pre>(1) Food services (Title 27, chapter 6);</pre>
2	(1) the Drug Abuse Office and Treatment Act of 1972,	2	(2) Foods, drugs, and cosmetics (Title 27, chapter 7)
3	Public Law 92-255 as amended, 21 U.S.C. section 1176; and	3	(3) Flour and bread (Title 27, chapter 8);
4	(2) the Comprehensive Alcohol Abuse and Alcoholism	4	(4) Lodging establishments (Title 34, chapter 3);
5	Prevention, Treatment and Rehabilitation Act of 1970, Public	5	(5) Sanitarians (Title 69, chapter 34);
6	Law 91-616 as amended, 42 U.S.C. section 4573.	6	(6) Ambulance services (Title 69, chapter 36);
7	Section 5 . The provisions of sections 82A-116 through	7	(7) Air pollution (Title 69, chapter 39);
8	82A-122 are applicable to this act.	8	(8) Refuse disposal areas (Title 69, chapter 40);
9	SECTION 6. SECTION 69-6201 IS RENUMBERED 80-2701,	9	(9) Industrial hygiene (Title 69, chapter 42);
10	69-6204 IS RENUMBERED 80-2704, 69-6205 IS RENUMBERED	10	(10) Tuberculosis control (Title 69, chapter 43);
11	80-2705, 69-6206 IS RENUMBERED 80-2706, 69-6207 IS	11	(11) Vital statistics (Title 69, chapter 44);
12	RENUMBERED 80-2707, 69-6211 IS RENUMBERED 80-2708, 69-6213	12	(12) Local boards of health (Title 69, chapter 45);
13	IS RENUMBERED 80-2710, 69-6214 IS RENUMBERED 80-2711,	13	(13) Venereal disease control (Title 69, chapter 46);
14	69-6215 IS RENUMBERED 80-2712, 69-6216 IS RENUMBERED	14	(14) Shoddy control (Title 69, chapter 47);
15	80-2713, 69-6217 IS RENUMBERED 80-2714, 69-6218 IS	15	(15) Water pollution (Title 69, chapter 48);
16	RENUMBERED 80-2715, 69-6219 IS RENUMBERED 80-2716, 69-6220	16	(16) Public water supplies (Title 69, chapter 49);
17	IS RENUMBERED 80-2717, 69-6221 IS RENUMBERED 80-2718,	17	(17) Subdivisions (Title 69, chapter 50);
18	69-6222 IS RENUMBERED 80-2719, 69-6223 IS RENUMBERED	18	(18) Cadavers (Title 69, chapter 51);
19	80-2720, AND 69-6224 IS RENUMBERED 80-2721.	19	(19) Hospitals and related facilities (Title 69
20	SECTION 7. SECTION 82A-601.1, R.C.M. 1947, IS AMENDED	20	chapter 52);
21	TO READ AS FOLLOWS:	21	(20) Hospital survey and construction (Title 69,
22	*82A-601.1. Functions of department. The department	22	chapter 53);
23	and its units have responsibility for the administration of	23	(21) Cesspools, septic tanks, and privies, etc. (Title
24	laws relating to public health, including, but not limited	24	69, chapter 54);
25	to, laws on:	25	(22) Public swimming pools and bathing places (Title

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1	69, chapter 55);	1	(7) Voluntary sterilizations (Title 69, chapter 64);
2	(23) Tourist campgrounds (Title 69, chapter 56);	2	(8) Juvenile facilities (Title 80, chapter 14);
3	(24) Control of ionizing radiation (Title 69, chapter	3	(9) Institutional industries (Title 80, chapter 15);
4	58);	4	(10) Payments for care of patients (Title 80, chapter
5	(25) Water treatment plants and distribution systems	5	16);
6	(Title 69, chapter 59);	6	(11) Galen state hospital (Title 80, chapter 17);
7	(26) Refuse disposal districts (Title 69, chapter 60) 7.	7	(12) Montana veterans' home (Title 80, chapter 18);
8	(27)-Alcohol-and-drugdependence(Title697chapter	8	(13) State prison (Title 80, chapter 19);
9	62)+* "	9	(14) Montana childrens center (Title 80, chapter 21);
10	SECTION 8. SECTION 82A-801.1, R.C.M. 1947, IS AMENDED	10	(15) Mountain View school and Pine Hills school (Title
11	TO READ AS FOLLOWS:	11	80, chapter 22);
12	*82A-801.1. Functions of department. The department	12	(16) Boulder river school and hospital (Title 80,
13	and its units are responsible for the administration of laws	13	chapter 23);
14	relating to institutions, including, but not limited to,	14	(17) Mental hygiene services and mental health centers
15	laws pertaining to:	15	(Title 90, chapter 24);
16	(1) District youth guidance homes (Title 10, chapter	16	(18) Montana center for the aged (Title 80, chapter
17	11);	17	25);
18	(2) Warm Springs state hospital (Title 38, chapter 1);	18	(19) Mental retardation programs (Title 80, chapter
19	(3) Examination and commitment of persons mentally	19	26);
20	deranged (Title 38, chapter 2);	20	(20) Probation, parole, and clemency (Title 94, chapter
21	(4) Patient transfers (Title 38, chapter 3);	21	98) * ;
22	(5) Examination of patients and voluntary admissions	22	(21) Alcohol and drug dependence (Title 80, chapter
23	(Title 38, chapter 4);	23	<u>27) • "</u>
24	(6) Convalescent leave of patients (Title 38, chapter		-End-
25	5);		
	-7- H3 699		-8- H3 699

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