

HOUSE RESOLUTION NO. 4

INTRODUCED BY BRAND, MANLEY, MENAHAH

IN THE HOUSE

March 28, 1981	Introduced and referred to Committee on Human Services.
April 6, 1981	Committee recommend bill do pass as amended. Report adopted.
April 7, 1981	Bill printed and placed on members' desks.
April 8, 1981	Second reading, do pass as amended. Sent to enrolling.

HOUSE RESOLUTION NO. 4

INTRODUCED BY Brand Hanley Nelson

4 A RESOLUTION OF THE HOUSE OF REPRESENTATIVES OF THE STATE OF  
5 MONTANA TO RONALD REAGAN, PRESIDENT OF THE UNITED STATES,  
6 THE COMMISSIONER OF THE UNITED STATES FOOD AND DRUG  
7 ADMINISTRATION, THE HONORABLE JOHN MELCHER, SENATOR FROM  
8 MONTANA, THE HONORABLE MAX BAUCUS, SENATOR FROM MONTANA, THE  
9 HONORABLE RON MARLENEE, CONGRESSMAN FROM THE SECOND  
10 CONGRESSIONAL DISTRICT, THE HONORABLE PAT WILLIAMS,  
11 CONGRESSMAN FROM THE FIRST CONGRESSIONAL DISTRICT, AND TED  
12 SCHWINDEN, GOVERNOR OF THE STATE OF MONTANA, ENCOURAGING  
13 THEM TO HAVE RESCINDED A REGULATION OF THE FEDERAL FOOD AND  
14 DRUG ADMINISTRATION THAT WOULD CAUSE THE CLOSURE OF THE DEER  
15 LODGE RESEARCH UNIT WHICH CONDUCTS DRUG RESEARCH AT THE  
16 MONTANA STATE PRISON BECAUSE SUCH CLOSURE WOULD CAUSE GREAT  
17 ECONOMIC HARDSHIP FOR THE COMMUNITY OF DEER LODGE, MONTANA.

19 WHEREAS, since 1968 the Deer Lodge Research Unit has  
20 conducted pharmaceutical research at the Montana State  
21 Prison, Deer Lodge, Montana, on volunteer prison inmates;  
22 and

23 WHEREAS, the Deer Lodge Research Unit has 7.5 employees  
24 and an annual payroll in excess of \$140,000, and if the unit  
25 continues, it is expected to employ several more persons and

1 increase its annual payroll to \$200,000; and

2 WHEREAS, the Deer Lodge Research Unit is funded  
3 exclusively by an ongoing grant established by  
4 pharmaceutical companies and no taxpayer money is spent on  
5 the research unit; and

6           WHEREAS, the Deer Lodge Research Unit is administered  
7    by the University of Montana, University Foundation, and  
8    there is an independent body which insures that all research  
9    conducted at the prison is conducted under the most  
10   safety-conscious considerations and that fully monitors the  
11   research to ensure that the inmate subjects are fully  
12   protected and are bona fide volunteers; and

13           WHEREAS, the U.S. Food and Drug Administration has  
14 proposed a regulation at Volume 45, No. 106, page 36386,  
15 dated May 30, 1980, that would have foreclosed further  
16 research by the Deer Lodge Research Unit; and

17 WHEREAS, that regulation was to become effective on  
18 June 1, 1981, but because of an executive order by President  
19 Ronald Reagan requiring a reexamination of all federal  
20 regulations not yet effective to consider their economic  
21 consequences, the regulation's effective date has been  
22 indefinitely postponed.

24 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF  
25 REPRESENTATIVES OF THE STATE OF MONTANA:

1        (1) That the Commissioner of the U.S. Food and Drug  
2        Administration be advised that it is the desire of the House  
3        of Representatives of the State of Montana that the  
4        administrative regulation foreclosing the type of  
5        pharmaceutical research conducted by the Deer Lodge Research  
6        Unit, Montana State Prison, Deer Lodge, Montana, be  
7        rescinded because of the economic detriment such rule would  
8        cause the community of Deer Lodge, Montana, and because the  
9        administration of the Deer Lodge Research Unit by the  
10       University of Montana, University Foundation, precludes any  
11       abuses that may have occurred in other states and which may  
12       be cured in another manner compatible with research  
13       currently conducted.

14        (2) That the Chief Clerk of the House send a copy of  
15        this resolution to Ronald Reagan, President of the United  
16        States, the Commissioner of the United States Food and Drug  
17        Administration, the Honorable John Melcher, Senator from  
18        Montana, the Honorable Max Baucus, Senator from Montana, the  
19        Honorable Ron Marlenee, Congressman from the Second  
20        Congressional District, the Honorable Pat Williams,  
21        Congressman from the First Congressional District, and Ted  
22        Schwinden, Governor of the State of Montana.

-End-

Approved by Department of Human Services

HOUSE RESOLUTION NO. 4

INTRODUCED BY BRAND, MANLEY, MENAHAN

4 A RESOLUTION OF THE HOUSE OF REPRESENTATIVES REPRESENTATIVES  
5 OF THE STATE OF MONTANA TO RONALD REAGAN, PRESIDENT OF THE  
6 UNITED STATES, THE COMMISSIONER OF THE UNITED STATES FOOD  
7 AND DRUG ADMINISTRATION, THE HONORABLE JOHN HELCHER, SENATOR  
8 FROM MONTANA, THE HONORABLE MAX BAUCUS, SENATOR FROM  
9 MONTANA, THE HONORABLE RON MARLENEE, CONGRESSMAN FROM THE  
10 SECOND CONGRESSIONAL DISTRICT, THE HONORABLE PAT WILLIAMS,  
11 CONGRESSMAN FROM THE FIRST CONGRESSIONAL DISTRICT, AND TED  
12 SCHWINDEN, GOVERNOR OF THE STATE OF MONTANA, ENCOURAGING  
13 THEM TO HAVE RESCINDED A REGULATION OF THE FEDERAL FOOD AND  
14 DRUG ADMINISTRATION THAT WOULD CAUSE THE CLOSURE OF THE DEER  
15 LODGE RESEARCH UNIT WHICH CONDUCTS DRUG RESEARCH AT THE  
16 MONTANA STATE PRISON BECAUSE SUCH CLOSURE WOULD CAUSE GREAT  
17 ECONOMIC HARDSHIP FOR THE COMMUNITY OF DEER LODGE, MONTANA.

19 WHEREAS, since 1968 the Deer Lodge Research Unit has  
20 conducted pharmaceutical research at the Montana State  
21 Prison, Deer Lodge, Montana, on volunteer prison inmates;  
22 and

23 WHEREAS, the Deer Lodge Research Unit has 7.5 employees  
24 and an annual payroll in excess of \$140,000, and if the unit  
25 continues, it is expected to employ several more persons and

1 increase its annual payroll to \$200,000; and

2 WHEREAS, the Deer Lodge Research Unit is funded  
3 exclusively by an ongoing grant established by  
4 pharmaceutical companies and no taxpayer money is spent on  
5 the research unit; and

6 WHEREAS, THE DEER LODGE RESEARCH UNIT, HAVING BEEN  
7 INVOLVED IN AN ON-GOING DRUG RESEARCH PROGRAM SINCE 1966,  
8 HAS MADE A SIGNIFICANT CONTRIBUTION TO THE BODY OF KNOWLEDGE  
9 AVAILABLE CONCERNING THE IMPACT OF NEW DRUGS ON HUMAN  
10 BEINGS; AND

11 WHEREAS, the Deer Lodge Research Unit is administered  
12 by the University of Montana, University Foundation, and  
13 there is an independent body which insures that all research  
14 conducted at the prison is conducted under the most  
15 safety-conscious considerations and that fully monitors the  
16 research to ensure that the inmate subjects are fully  
17 protected and are bona fide volunteers; and

18 WHEREAS, THE DEER LODGE RESEARCH UNIT PROVIDES A USEFUL  
19 SUMMER TRAINING PROGRAM FOR PHARMACY STUDENTS FROM THE  
20 UNIVERSITY OF MONTANA; AND

21 WHEREAS, DRUG RESEARCH OF THE NATURE CONDUCTED AT THE  
22 DEER LODGE RESEARCH UNIT BENEFITS THE ENTIRE NATION; AND

23 WHEREAS, the U.S. Food and Drug Administration has  
24 proposed a regulation at FEDERAL REGISTER Volume 45, No.  
25 10a, page 36386, dated May 30, 1980, that would have

1 foreclosed further research by the Deer Lodge Research Unit;  
2 and

3 WHEREAS, that regulation was to become effective on  
4 June 1, 1981, but because of an executive order by President  
5 Ronald Reagan requiring a reexamination of all federal  
6 regulations not yet effective to consider their economic  
7 consequences, the regulation's effective date has been  
8 indefinitely postponed.

9  
10 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF  
11 REPRESENTATIVES OF THE STATE OF MONTANA:

12 (1) That the Commissioner of the U.S. Food and Drug  
13 Administration be advised that it is the desire of the House  
14 of Representatives of the State of Montana that the  
15 administrative regulation foreclosing the type of  
16 pharmaceutical research conducted by the Deer Lodge Research  
17 Unit, Montana State Prison, Deer Lodge, Montana, be  
18 rescinded because of the economic detriment such rule would  
19 cause the community of Deer Lodge, Montana, and because the  
20 administration of the Deer Lodge Research Unit by the  
21 University of Montana, University Foundation, precludes any  
22 abuses that may have occurred in other states and which may  
23 be cured in another manner compatible with research  
24 currently conducted.

25 (2) That the Chief Clerk of the House send a copy of

1 this resolution to Ronald Reagan, President of the United  
2 States, the Commissioner of the United States Food and Drug  
3 Administration, the Honorable John Melcher, Senator from  
4 Montana, the Honorable Max Baucus, Senator from Montana, the  
5 Honorable Ron Marlenee, Congressman from the Second  
6 Congressional District, the Honorable Pat Williams,  
7 Congressman from the First Congressional District, and Ted  
8 Schwinden, Governor of the State of Montana.

-End-