

SENATE RESOLUTION NO. 3
INTRODUCED BY MANLEY, BRAND

IN THE SENATE

March 27, 1981

Introduced and referred to
Committee on Public Health,
Welfare, and Safety.

April 6, 1981

Committee recommend bill do pass
as amended. Report adopted.

Bill printed and placed on
members' desks.

April 9, 1981

Second reading, do pass.

SENATE RESOLUTION NO. 3INTRODUCED BY Markley Beard

A RESOLUTION OF THE SENATE OF THE STATE OF MONTANA TO RONALD REAGAN, PRESIDENT OF THE UNITED STATES, THE COMMISSIONER OF THE UNITED STATES FOOD AND DRUG ADMINISTRATION, THE HONORABLE JOHN MELCHER, SENATOR FROM MONTANA, THE HONORABLE MAX BAUCUS, SENATOR FROM MONTANA, THE HONORABLE RON MARLENEE, CONGRESSMAN FROM THE SECOND CONGRESSIONAL DISTRICT, THE HONORABLE PAT WILLIAMS, CONGRESSMAN FROM THE FIRST CONGRESSIONAL DISTRICT, AND TED SCHWINDEN, GOVERNOR OF THE STATE OF MONTANA, ENCOURAGING THEM TO HAVE RESCINDED A REGULATION OF THE FEDERAL FOOD AND DRUG ADMINISTRATION THAT WOULD CAUSE THE CLOSURE OF THE DEER LODGE RESEARCH UNIT WHICH CONDUCTS DRUG RESEARCH AT THE MONTANA STATE PRISON BECAUSE SUCH CLOSURE WOULD CAUSE GREAT ECONOMIC HARDSHIP FOR THE COMMUNITY OF DEER LODGE, MONTANA.

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

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

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

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE 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
3 Senate of the State of Montana that the administrative
4 regulation foreclosing the type of pharmaceutical research
5 conducted by the Deer Lodge Research Unit, Montana State
6 Prison, Deer Lodge, Montana, be rescinded because of the
7 economic detriment such rule would cause the community of
8 Deer Lodge, Montana, and because the administration of the
9 Deer Lodge Research Unit by the University of Montana,
10 University Foundation, precludes any abuses that may have
11 occurred in other states and which may be cured in another
12 manner compatible with research currently conducted.

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

-End-

Approved by the committee on
Public Health, Welfare & Safety

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

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19 WHEREAS, since ~~1968~~ 1966 the Deer Lodge Research Unit
20 has 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 INTERN PROGRAM FOR RESEARCHERS FROM THE UNIVERSITY OF
20 MONTANA; AND

21 WHEREAS, THE DRUG RESEARCH CONDUCTED AT THE DEER LODGE
22 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.
25 106, page 36386, dated May 30, 1980, that would have

1 foreclosed further research by the Deer Lodge Research Unit;
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