

MINUTES

MONTANA SENATE 53rd LEGISLATURE - SPECIAL SESSION

COMMITTEE ON FINANCE & CLAIMS

Call to Order: By Senator Judy Jacobson, Chair, on December 6, 1993, at 8:30 a.m., Room 325.

ROLL CALL

Members Present:

Sen. Judy Jacobson, Chair (D)
Sen. Eve Franklin, Vice Chair (D)
Sen. Gary Aklestad (R)
Sen. Tom Beck (R)
Sen. Don Bianchi (D)
Sen. Chris Christiaens (D)
Sen. Gerry Devlin (R)
Sen. Gary Forrester (D)
Sen. Ethel Harding (R)
Sen. Bob Hockett (D)
Sen. Greg Jergeson (D)
Sen. Tom Keating (R)
Sen. J.D. Lynch (D)
Sen. Chuck Swysgood (R)
Sen. Daryl Toews (R)
Sen. Larry Tveit (R)
Sen. Eleanor Vaughn (D)
Sen. Mignon Waterman (D)
Sen. Cecil Weeding (D)

Members Excused: Senator Fritz

Members Absent: None

Staff Present: Clayton Schenck, Legislative Fiscal Analyst
Lynn Staley, Committee Secretary

Please Note: These are summary minutes. Testimony and discussion are paraphrased and condensed.

Committee Business Summary:

Hearing: SB 23, SB 28, SB 29, HB 6, HB 9, HB 14
Executive Action: None

HEARING ON SENATE BILL 23

Opening Statement by Sponsor:

Senator Christiaens, Senate District 18, sponsor, said Senate

Bill 23 is at the request of the Department of Family Services and is presented for purposes of clarification. During the regular 1993 session, the clothing allowance was increased for foster care families. For a number of years it has been \$300 per year, which is totally inadequate. The increase went from \$300 to \$400 a year. The money is in the budget and without a change in statute, the Department has not been allowed to pay those foster families. The purpose of this bill is to change the statute and bring it into compliance with what was done during regular session.

Proponents' Testimony:

Hank Hudson, Director of Department of Family Services, said this bill is being introduced to correct an oversight that occurred and does not represent additional spending over that approved in the previous general session.

Bobbie Curtis, Legislative Chairman for the Montana State Foster/ Adoptive Parents Association, said they support the change in statute language.

Chris Yde, President of the Montana Foster/ Adoptive Parents Association, said this legislation is extremely important. Without this type of funding, they will start losing foster parents.

Trish Tothill, a foster/adoptive parent, said the children need our help.

Mary Dallinger, a foster parent, said the children need support for their clothing and extra expenses. She said there are good foster homes that cannot take on extra children as they cannot economically carry the extra burden.

Opponents' Testimony:

None.

Questions From Committee Members and Responses:

Senator Lynch asked why the \$400 figure wasn't put in rather than saying "appropriation" for the purpose of this subsection.

Senator Christiaens said the reason that language was taken out is that in the future if there are other changes, the statute would not have to be changed each time.

Senator Lynch questioned if there are more children than anticipated, it would be less than \$400.

Senator Christiaens said it would be no different than some of the other budgets. The department might have additional money in some other department they could transfer in or if they ran

extremely short they could come in for a supplemental. He noted the maximum per year will be \$400 under SB 23, whereas it is currently \$300.

When questioned by Senator Lynch where that was in SB 23, Senator Christiaens said it was in House Bill 2.

Senator Devlin asked Mr. Hudson if there is a fiscal note and if the funding was in House Bill 2.

Mr. Hudson said since there is no change, there is no fiscal impact with this bill. He said the funding was in House Bill 2.

Senator Beck asked if it would limit the foster care to \$300 if this wasn't changed.

Mr. Hudson said that was correct.

Closing by Sponsor:

Senator Christiaens said there was a fiscal note that shows no change or additional fiscal impact. It is in House Bill 2 as it passed in the regular session. He concluded that it is crucial to make this change now.

HEARING ON SENATE BILL 28

Opening Statement by Sponsor:

Senator Greg Jergeson, Senate District 8, sponsor, said Senate Bill 28 would require the legislative auditor to establish a toll free number for reporting waste, fraud and abuse in state government. He said the public is convinced they see things that could save the government money, and the hot line would empower those people to make their referrals to appropriate state government agencies; if those agencies feel the call is a reasonable issue, it can be looked into. It was placed with the legislative auditor because in cases of fraud allegations, that office is set up to handle those kinds of things and maintain confidentiality until the allegation is proven to be something more than that. If it is more than an allegation, they would be referred to the attorney general and the county attorney. If the allegation is a wasteful act on the part of an agency, the agency would be notified about the issue as well as the legislative finance committee and the legislative fiscal analyst so they could pursue a remedy. He submitted a fact sheet showing fraud hot lines in other states. (Exhibit 1) He said there is no fiscal note at this time, but he would anticipate the program would cost about \$28,000 a year. Any savings that are achieved from it, unless otherwise provided by law, would be deposited in the state general fund.

Proponents' Testimony:

None.

Opponents' Testimony:

None.

Questions From Committee Members and Responses:

Senator Swysgood asked if the \$28,000 would be for the operation of the toll free line.

Senator Jergeson said about \$6,000 a year would be to pay the phone company for installing the line, etc., and the remainder would be for personnel to follow up on the calls.

Senator Swysgood asked if there is a cost associated with an agency investigating a call.

Senator Jergeson said an incident would be reported to the particular agency that was involved and there might be some cost, however they hopefully would find some savings.

Senator Waterman asked if there would be an additional person hired.

Senator Jergeson said yes, someone would have to screen the calls daily and make the determination whether or not there was an allegation of fraud, waste or abuse, in which case that would be reviewed with the legislative finance officer.

Senator Waterman said it was hard to imagine there would be enough calls to keep one person busy full time year around. She questioned if the governor's office still had an Advocacy Office who takes calls and asked if it could be handled with an existing FTE.

Senator Jergeson said he had mis-spoken, there would not be an additional FTE. He added that Mr. Seacat could answer any questions pertaining to the fiscal note.

Senator Christiaens asked what the Citizens Advocacy Office would do if someone called in regarding waste or fraud and questioned if the person in the legislative auditor's office would handle a call all the way through and then report back to the agency.

Senator Jergeson said there would have to be someone to return the call to a person and attempt to verify the call. If additional information was needed, they would follow up and make a determination whether or not it is a valid complaint.

Senator Lynch questioned what the extra \$22,000 would be used for if not for an FTE, and is over and above the phone calls.

Mr. Seacat said it would be for personal service costs. They

would not hire an FTE but would have various staff rotate in and review calls to make determinations whether or not it warrants any additional audit work or warranted another call to the agency or to the attorney general's office.

Senator Lynch asked why it would be additional personal services if it is not an FTE, and if it would be picked up by those people's time being used under this program.

Mr. Seacat said the \$22,000 would go to pay allocated salaries. In a case where there is major fraud, that money would be used to pay the salaries related to the audit work and the work done in conjunction with the attorney general's office. They may not be able to do some other audit work as a result of working with the fraud complaint.

Senator Lynch questioned if it would be a duplication of the Workers' Compensation system approach.

Mr. Seacat said they would not anticipate duplication. Where there is fraud, they make the determination as to the nature of the fraud and whether it warrants audit work. They immediately involve the attorney general's office and their office is already involved in work comp related fraud.

Senator Lynch said according to Exhibit 1, the state of Delaware has 63 calls. Given our population, he doesn't think it would warrant \$56,000 a biennium.

Senator Jergeson said he is not familiar with how well the state of Delaware might publicize the availability of the toll free number. The Montana program could be assessed after the biennium if the people haven't made the number of calls. He felt if the people had the opportunity to utilize, they would.

Senator Lynch said he likes the idea, but he doesn't like the money designated for it.

Senator Jergeson said since we are not hiring a specific FTE to do this, those expenditures would not be made if there was no workload generated.

Senator Weeding asked Mr. Seacat if at this time they had received any complaints from the Citizen's Advocacy Office.

Mr. Seacat said they get 3 to 5 calls a week from the public. With the fraud hot line, they were estimating 43 calls a month. He said right now they don't have a mechanism to deal with the calls. When he gets those calls, he has to explain that he works in the legislature and doesn't have the authority to do anything but added they do follow up on calls in the area of efficiency. Sometimes they will refer them to another agency.

Senator Weeding questioned if someone was taken off another

program to staff this program, there should be a savings.

Mr. Seacat said he does not view this as no additional overtime. This legislation does not relieve them of any audit responsibilities; they still have to do their work also.

Senator Weeding asked if they would have to put in additional time.

Mr. Seacat said he would expect they would have increased overtime.

Senator Devlin said there currently are hot lines in Montana, and he asked if there was any thought about combining it into one master system.

Senator Jergeson said the hot line into the Department of Livestock and Fish Wildlife and Parks have very specific purposes. Generally they are reporting what they see as violations of the law by other citizens. This hot line is what people see as a means to report things relating to how government is being managed wrong or that is costing taxpayers money.

Senator Devlin said if the auditor's office has the personnel amounting to \$22,000 to handle this, their office may have too many FTE's.

Mr. Seacat said they do not have extra people. They have a situation in their office where they did lay off six people and for next fiscal year they would probably have to do that again.

Senator Hockett asked Beth Baker from the Attorney General's office to comment on this.

Ms. Baker said they receive letters every week from the auditor's office and they involve some degree of criminal activity. She added they send them on to the county attorney. The Attorney General's investigation bureau does get involved if there is an alleged theft from a state agency by an employee. They also receive calls from the Citizens Advocacy office. They do have a hot line for work comp fraud, but that is usually about other private citizens or providers rather than about state government.

Senator Hockett asked if there is a reward system for this in regard to improving state government.

Senator Jergeson said that program was established by then Gov. Schwinden and has been carried on since then; this program would not affect that.

Senator Hockett asked if this was for private citizens, not for state employees.

Senator Jergeson said a state employee could use it in their role

as a private citizen. This is an opportunity for private citizens to report what they think is waste, fraud or abuse.

Closing by Sponsor:

Senator Jergeson closed on Senate Bill 28. He said this is a matter of giving the people the opportunity to follow up on what they see as wrong. He said it is one of the more cost effective ways to bring the public into the process.

HEARING ON SENATE BILL 29

Opening Statement by Sponsor:

Senator Jacobson, Senate District 36, sponsor, said in the 1993 regular session there was a bill to establish a local citizen review board which became a pilot program in the House, and she is aware the funding for that has been removed at this time. When they were setting up a pilot program to be established in a youth court, the administrator was removed from the supreme court. SB 29 puts the administrator back in the supreme court. She added that she has been informed there is approximately \$75,000 each year for a five year program available from the federal government for people administering this type of program. She concluded that she didn't know if the program can get started this year, but the law is on the books and she would like to get this problem straightened out.

Proponents' Testimony:

Kathy Marshall, testifying in support of SB 29, said she hopes the committee will make this change. She realizes funding has been lost but stressed that the program is very much needed.

Opponents' Testimony:

None.

Questions From Committee Members and Responses:

Senator Keating asked Hank Hudson if there is a connection between this program and the managed care and community board for the handling of mental illness in youth and court placements.

Mr. Hudson said there was no connection. There may be an indirect connection in that a number of youths in the mental affairs managed care services are foster children.

Senator Keating said he wants to make sure we are not duplicating and interfering with each other.

Mr. Hudson said he didn't think so. The foster care review committees that exist have very specific statutory responsibility

to review foster cases on a regular interval. That is very different from what this program would do.

Senator Christiaens asked if the county review board would remain in place if this is in place.

Mr. Hudson said both wouldn't be in existence at the same time. This new one would replace the other.

Senator Christiaens said there have been some complaints recently regarding foster families and families where the children have been removed from the home for long periods of time without hearings. He asked if some of those problems would be alleviated if this program were in place.

Mr. Hudson said he was not aware of cases where they have failed to meet the statutory requirement to hold foster care review hearings, nor was he aware of cases where children have been placed in foster care without going before a district court judge. This proposal sets up a foster care review committee that has a different composition than they currently do.

Senator Forrester asked Patrick Chenovick how the program would work and where they would get the extra money.

Patrick Chenovick, Administrator for the Supreme Court, said the funding for this pilot project was a biennial appropriation that was taken out in the general government and highways subcommittee. Currently they have no funds to do the pilot. The only way they can do it is obtain federal funding which he has correspondence that indicates the U. S. Congress is passing a program to give states that apply \$75,000 per year for a five year period to do programs for foster placement. If the program is going to be a live program in this biennium, federal funding will have to be obtained.

Senator Forrester asked if this program would be in jeopardy if federal funding is not received.

Mr. Chenovick said that was correct. He said he does not have the funds to do the foster pilot at this time.

Senator Waterman asked if the \$75,000 federal funding would have to come through the Supreme Court.

Mr. Chenovick said that was correct, it goes to the highest court in each state.

Senator Aklestad asked Mr. Hudson if it was his opinion that the existing citizens review committee is not functioning properly at this time.

Mr. Hudson said no, that was not his impression.

Senator Aklestad questioned why he would suggest that something different happen and that committee be dissolved.

Mr. Hudson said neither the department nor the administration proposed the change. When the proposal was brought to him by Senator Jacobson, he indicated if the people lacked confidence in the current system, he would be willing to work with her. There is a public perception that they are not doing all they can to make sure children are in foster care as short a time as possible.

Senator Franklin said the entire project is not in question; it is the clarification of the duties of the administrator. The legislation which was passed in the 1993 session statutorily stands.

Senator Aklestad questioned SB 29 qualifying for this special session.

Closing by Sponsor:

Senator Jacobson said although there is not a fiscal note, there is clear data from other states who have started citizen review boards that children do get through the system more quickly. The difference between the board now and the board they are trying to set up with the pilot program is that there would be no people that are employed by the Department of Family Services or the state of Montana serving on this board. They would be local citizens so it would be a way to get local communities involved. This legislation simply puts the administrator back in the Supreme Court as well as the funding to be discussed in House Bill 2.

HEARING ON HOUSE BILL 6

Opening Statement by Sponsor:

Representative Mary Lou Peterson, House District 1, sponsor, said House Bill 6 puts the second \$50 of the DUI task force money into the general fund. The fiscal note shows it is about \$300,000 a year.

Proponents' Testimony:

Al Goke, Administrator of Highway Traffic Safety, said in 1987 the legislature passed a law placing a \$50 reinstatement fee on all DUI's. The 1991 session increased the fee to \$100 and the 2 (b) section of 61-2-107 came into existence. That portion of the law stated that the money would be given to the counties who would in turn give the money to all the incorporated cities and towns in the county. The first portion of the reinstatement fee is given to those counties. The first special session in 1992 placed it in the general fund for the biennium rather than giving

it to the counties.

Opponents' Testimony:

None.

Questions From Committee Members and Responses:

Senator Waterman asked if it was the legislature's intent in increasing the reinstatement fee to \$100 that the money would go back to the counties for prevention.

Mr. Goke said the specifics of the law stated the money would go for the problems and concerns of youth, which would not necessarily relate to alcohol or substance abuse.

Senator Christiaens asked Mr. Goke if it is from this fund that breathalizers, etc. were purchased.

Mr. Goke said the first \$50 that goes to counties, if they have a DUI plan and a DUI task force, goes to purchase breathalizers, etc. He said all counties do not wish to participate.

Senator Christiaens questioned if there is \$300,000 that has not been expended.

Mr. Goke said the funds are collected as DUI's are reinstated and the fee is paid. They have placed approximately \$55,000 in that special earmarked revenue account. There is not \$300,000 available at this time. \$300,000 would become available in the course of the entire year if reinstated DUI's were paid by a fee.

Senator Christiaens said he would appreciate the sponsor addressing this further in his closing.

When questioned by Senator Keating if any money is being taken away from the counties, Mr. Goke said no.

Senator Aklestad said it is his understanding that cities and towns were supposed to receive part of this distribution under existing statutes.

Mr. Goke said the January '92 special session decided not to give it to local government and placed it in the general fund, which is the reason they have not received it.

When questioned by Senator Aklestad why that is continuing, Mr. Goke said the legislation in the '92 special session only made a temporary distribution of two years to the general fund; it did not change the law. It would be required to have a bill such as HB 6.

Senator Aklestad asked if it was a two year program or if legislation is needed each session for this.

Mr. Goke said House Bill 6 is permanent. It would no longer have a second \$50 going to local government.

Senator Aklestad asked where the eight FTE's were located and what they did.

Mr. Goke said they are in his division, which is the administration division attached to the Department of Justice. In addition to working on traffic safety, they administer approximately \$1 million a year in federal grants that go to state and county government.

Senator Aklestad asked if the FTE's were attorneys or what type of personnel.

Mr. Goke said the majority would be classified as program managers. They work in the area of alcohol and substance abuse, a statistician, clerical help and people that can administer a grant program.

Senator Aklestad said since we are cutting programs for the truly needy this special session, he questioned this program having eight FTE's. They are not getting rid of any FTE, but are taking special revenues and putting it in the general fund.

Mr. Goke said the issue that was presented to him was to propose, as a state agency, areas where he felt they could alleviate problems relating to the general fund, or at least address them. He said no general fund money is expended on any staff or any effort by the division, it is simply pass through. The first \$50 goes to county governments for DUI task forces. The second \$50 was a pass through, again going to county government, and no administrative funds were related to general fund.

Senator Jacobson said this could be discussed further in HB 2.

Senator Hockett asked if the money coming into the fund was increasing, decreasing or staying about the same.

Mr. Goke said the amount of money in the fund is relatively constant. The growth or decline would depend on the number of DUI convictions.

Senator Hockett asked Col. Griffith if the fee was put in place to encourage fewer people to drink and drive as well as to educate them.

Col. Griffith said the DUI arrests have leveled off or declined at the present time.

Closing by Sponsor:

Representative Peterson closed on House Bill 6. She said the first fee was \$50 for reinstatement and was allocated to things

like DUI task forces, breathalizers and the maintenance of those breathalizers. That \$50 has been in place for some time. Later, because of some debate that the first \$50 wasn't high enough to make an impact, it was decided the reinstatement fee would be \$100 instead of \$50. When that happened in 1992, it was put on hold. As a part of House Bill 2, they are looking at the \$300,000 that would not impact because it hasn't happened yet. She said they weren't looking to reorganize the program with this bill, so FTE's weren't even discussed.

HEARING ON HOUSE BILL 9

Opening Statement by Sponsor:

Representative Benedict, House District 64, sponsor, said House Bill 9 would require only one license plate on the rear of an automobile. The bill will save Montana about \$370,000 this biennium general fund money, and a little more than that in the future based on the projection that material costs will undoubtedly go up.

Proponents' Testimony:

Rep. Ed Grady, House District 47, said he supports the issue. He does not think HB 9 would hurt anyone. Although it will make it harder for the law enforcement people, he thinks it would be very minimum. When we are talking about \$400,000, he feels that amount could clothe and feed a lot of people.

Steve Turkiewicz, representing the Montana Auto Dealers Association, said they support HB 9 as removing the front license plate would allow for a more aerodynamic design of small automobiles and would result in fuel savings.

Opponents' Testimony:

Col. Bob Griffith, representing the Montana Highway Patrol said 19 states have one license plate. He said that having two plates is one of the least expensive and most effective means that law enforcement has at their disposal and does not believe the aerodynamic issue is of great concern in Montana. He added that over 70% of the illegal passes of school buses are made by oncoming traffic. It would be extremely difficult for the school bus driver to read the license plate from the rear, especially in the winter time and on county roads where dust and snow obscure the rear plate. Last year the Highway Patrol issued over 20,000 warnings and approximately 5,000 citations concerning vehicle registrations in Montana. Many of the warnings were about one plate as that is a big concern of the Highway Patrol. He also indicated that about 60 percent of the crimes committed involve the use of a motor vehicle. He concluded there is a definite safety factor for the patrolmen relative to the use of two plates.

Beth Baker, Department of Justice, said the Attorney General feels it is critical to effective law enforcement to have two license plates. The front plate has two principal functions, one is to identify people and the other is to make the vehicle conspicuous in poor visibility conditions. She added that HB 9 provides an immediate effective date which could create problems. The over 800,000 registered vehicles will automatically have one valid plate until the decal expires, and the other plate could be affixed to an unregistered vehicle. Also, it will be unlawful for people to have a plate on the front of the vehicle, and she noted she had amendments for that. She stressed that the front plate is used constantly for identification purposes. She presented amendments from the Department of Justice. (Exhibit 2)

Check O'Reilly, Sheriff of Lewis and Clark County, said for each crime that goes unsolved, every citizen in the state will be affected. He explained that many times bumper hitches, bike racks, etc. obscure the rear license plate and added that four or five states with one license plate currently have bills pending to revert to the two plate system. He feels public safety is a major issue in having two plates. In 75 or 85 percent of the stakeouts he has been involved in, the license numbers were obtained from the front plate. Concerning roadblocks, there would be greater danger in having to go to the rear of a vehicle to get a view of the license plate while looking for an armed suspect. A roadblock is set up for oncoming traffic to view the license plate of the vehicles going through the roadblock.

Bill Ware, Helena Police Chief, representing the Montana Association of Chiefs of Police, said they oppose House Bill 9. He said most of their apprehensions are from the front license plates. This is a public safety issue and would hurt everyone, not just a select group.

Tom Harrison, Montana Sheriffs and Peace Officers, presented a handout from various law enforcement agencies indicating their support for two license plates (Exhibit 3). He said it is a user fee, a specific statutory charge for the plates. In the law is a \$2 fee for two plates. There is a \$25 fee for a personalized plate and the advalorem tax on the value of the vehicle. This is like a users fee already justified and passed by the legislature in past sessions for two license plates. He concluded that the front license plate is an important tool for law enforcement.

Doug Chase, Sheriff of Missoula County, said he would stand on the comments of Sheriff O'Reilly, Chief Ware and Mr. Harrison. He said the majority of arrests he has made for identification of suspects came as a result of stopping the suspect vehicle by reading the front license plate. It is a very effective and important tool for law enforcement and added that one license plate would be a step backward.

Greg Hanson, Missoula County Sheriff's Department, said they have had many instances where the identification of a vehicle is made

by reading the front license plate and added it would reduce their effectiveness 50 percent to only have the rear plate.

John Strandell, Undersheriff of Cascade County, said he would rise in opposition to HB 9 and would concur with the testimony that has been given.

Capt. Pat Burns, Silver Bow Sheriff's Office, rose in opposition to House Bill 9.

Barry Michelotti, Sheriff of Cascade County and past president of Montana Sheriffs and Peace Officers Association, urged the committee to table House Bill 9. He said the two license plates are tools they need to do their job. He said rather than a \$2 plate, it should be a \$10 plate as they need the plate as a tool to fight crime.

Dave Galt, Administrator of Motor Carriers Services Division of the Department of Transportation, said when he was asked to look at the bill for impact, a serious concern came to his attention. On page 3, line 22 of the bill, it says the single plate would have to be conspicuously displayed on the rear of the vehicle. If you have to put a plate on the rear of a semi tractor it will not be conspicuous, and in fact would be almost impossible to identify. He said there would have to be some amendments relating to commercial vehicles and semi tractors to have a plate on the front.

Representative Randy Vogel, Police Officer from Billings, said he is opposed to the bill because there is a safety factor involved. Although there is a tremendous deficit in the state of Montana, there is a point where the line must be drawn, and that is for the safety of the officers and citizens of the state.

Bill Fleiner, Legislative Committee Chairman for the Montana Sheriffs and Peace Officers Association, said law enforcement is being pitted against low income people which is not a proper analogy for law enforcement to be put in. When those people are victims of crime and need law enforcement services, those license plates are very significant. He said they have been doing the best they can, and this is an essential part of that. The back plate cannot be removed to the front because as a law enforcement officer making a traffic stop, that is what they use to notify the dispatcher of the location and the license plate number, so if trouble starts the officer could get help. The back plate is as essential as the front plate. He said the law enforcement community is very disappointed that HB 9 has come before the committee from the administration and the Department of Corrections.

Questions From Committee Members and Responses:

Senator Lynch asked Col. Griffith if a school bus driver takes the license number of a vehicle passing illegally and phones it

in, could a ticket be issued from the call.

Col. Griffith said when the license number is given to them, they look up the registered owner and question them about the incident, advising them that the registered owner will be responsible unless they will identify the driver.

Senator Lynch asked if the majority of citations are issued for that.

Col. Griffith said about 70 percent of school bus passages occur as they are meeting the bus.

Senator Lynch asked Mr. Turkiewicz if his support of HB 9 was based on allowing cars to go faster and more efficiently.

Mr. Turkiewicz said not faster, but more aerodynamic.

Senator Lynch said all new vehicles have two brackets for license plates, and if one is damaged, it costs approximately \$75 to replace. He asked Mr. Turkiewicz if the car dealerships would reduce the price of the vehicle by \$75.

Mr. Turkiewicz said the brackets are ordered separately for the vehicles and if this law is passed, brackets will not be ordered. He said vehicles are designed without the front bracket and are put on as an afterthought.

Senator Keating asked Dean Roberts if all plates were paid for out of license fees.

Dean Roberts, Administrator of Motor Vehicle Division, said the license plate fee, which is \$2 for a set of plates, goes into the general fund; the Department of Institutions gets an appropriation out of the general fund to pay for the costs of making the plates. At the time it was set for \$2, the plates cost about 90 or 95 cents to make.

Senator Keating said if we are still charging \$2 for license plates and one plate is taken away, we are doubling the cost of the plate to the taxpayer.

Senator Beck asked Beth Baker if it was their intention not to allow any type of plate on the front of the vehicle with the amendments.

Ms. Baker said that is not what the amendment is designed to address. It addresses the situation when HB 9 is effective, the person driving around with the front plate would be in violation of the law. HB 9 does not address whether you can put anything on the front bracket of the car.

Senator Beck asked if there was any law against putting anything on the blank bracket of a vehicle.

Ms. Baker said there would be no law against that at this time.

Senator Beck asked Rep. Benedict if there was any savings to the taxpayer with this bill.

Rep. Benedict said he believes the people of Montana will give up their front license plate if we can move \$370,000 into areas that are more necessary. They are going to pay a tax one way or another to support state government.

Senator Beck said the taxpayer would expect if they are only going to get half as much for the same dollars, the cost of the plates should be reduced from \$2 to \$1. We are diverting money that we are assessing for a fee on their license plate over into the general fund and do not know where that money is going.

Rep. Benedict said the \$2 cost for the license plates has about \$1 worth of administration and \$1 worth of cost. If you reduce the cost of the license plate, you would reduce it 50 cents.

Senator Beck said testimony said it was 95 cents per plate.

Rep. Benedict said he doesn't believe that is correct, and he could ask Mr. Roberts.

Senator Hockett questioned Mr. Galt concerning heavy trucks. He said discussing this with people in some of the weigh stations, they indicated they are hooking up to a computerized system of identifying vehicles. In watching what they do, the front license plate is the only one they can see.

Mr. Galt said that was correct, if they had to put the license plate on the rear of the tractor, it would be impossible to see.

Senator Hockett asked if the computerized system would continue if HB 9 becomes law.

Mr. Galt said they have a variety of uses for the computer system.

Senator Tveit asked the cost of a single license plate to the consumer and the cost of two plates.

Mr. Galt said the cost of plate is near \$2. The plates issued for interstate vehicles are less expensive because they do not have the reflective sheeting since they are issued more often. He does not know where the money collected for the plates goes. The money is not retained by the Department of Transportation.

Senator Weeding asked Rep. Benedict how they would address the visibility of the rear license on trucks and horse trailers, etc.

Rep. Benedict said he thinks horse trailers would have a license plate in the back identifying the owner.

Senator Weeding said larger units have 15 or more licenses hanging on a strap, so most states must require a permit to display, and he questioned if they would have to move their Montana plates to the rear.

Rep. Benedict said he would have no problem with an amendment that addresses trucks who engage in interstate commerce to allow them to keep the plate on the front.

Senator Devlin asked how many vehicles were licensed in the state every year.

Mr. Roberts said the plate goes with the individual in Montana and not with the vehicle. When a car is sold, the license can be used again and there is a cost savings. They produce approximately \$330,000 every year.

Senator Devlin said the fiscal note shows it needs 480,000 large plates every year.

Mr. Roberts said the Department of Institutions put the fiscal note together; they produce the plate.

Senator Devlin said he would like to know about the fiscal note and the need for 480,000 of the large plates every year.

Rep. Benedict said that was the number that came from the prison who produce the plates.

Closing by Sponsor:

Rep. Benedict closed on House Bill 9. He said change is often not easy to accept, but we are asking everyone in state government to find new ways to make government more efficient. He would urge the committee to carefully consider all the testimony and move forward in making this bill a reality.

HEARING ON HOUSE BILL 14

Opening Statement by Sponsor:

Representative Joe Quilici, House District 71, sponsor, said HB 14 takes \$250,000 out of the victims crime fund. He said they are capping the fund at \$500,000, and section 3 states it will terminate if the federal funds do not come in. Without the federal funds, this program would not be able to function.

Proponents' Testimony:

Ed Hall, Montana Board of Crime Control, said this is a one time transfer. He presented the committee a chart showing expenditures for the program. (Exhibit 4) He said without the federal funds, the fund would be in the red. They would ask for

a clause that would lift the cap should federal funds be unavailable. He said in the future they may have to ask that the cap be lifted as expenditures increase and more victims apply to the program and also because medical costs are increasing and many of the funds pay for victims' medical expenses. He feels this cap and this funding is enough to get them through the near future.

Opponents' Testimony:

None.

Questions From Committee Members and Responses:

None.

Closing by Sponsor:

Representative Quilici closed on House Bill 14.

ADJOURNMENT

Adjournment: The meeting adjourned at 11:10 A.M.


SENATOR JUDY JACOBSON, Chair


LYNN STALEY, Secretary

JJ/LS

ROLL CALL

SENATE COMMITTEE FINANCE & CLAIMS

DATE 12/6/93

NAME	PRESENT	ABSENT	EXCUSED
SENATOR JACOBSON	✓		
SENATOR FRANKLIN	✓		
SENATOR AKLESTAD	✓		
SENATOR BECK	✓		
SENATOR BIANCHI	✓		
SENATOR CHRISTIAENS	✓		
SENATOR DEVLIN	✓		
SENATOR FORRESTER	✓		
SENATOR FRITZ			✓
SENATOR HARDING	✓		
SENATOR HOCKETT	✓		
SENATOR JERGESON	✓		
SENATOR KEATING	✓		
SENATOR LYNCH	✓		
SENATOR SWYSGOOD	✓		
SENATOR TOEWS	✓		
SENATOR TVEIT	✓		
SENATOR VAUGHN	✓		
SENATOR WATERMAN	✓		
SENATOR WEEDING	✓		

Attach to each day's minutes

Fraud Hotlines in Other States

State	When Established	How Established	Informant Protection	Number of Calls Annually	Average Length Call	Type of Service	Level of Staff
North Carolina Pop = 6,737,000	1986	Statute	Confidential or Anonymous	200	7-10 min	8-5 & answer machine	4 Professional
Ohio Pop = 10,939,000	More than 10 yrs.	Statute & Administrative	Confidential or Anonymous	5200	5-45 min	8-4:45	2-Secretarial 1-Professional
Pennsylvania Pop = 11,961,000	Began 1978 Revised 1989	Administrative	Confidential or Anonymous	Before Ad 2600-3900 After Ad 5200	Unable to estimate	8-6 & answer machine	8 Professional
South Carolina Pop = 3,560,000	1986	Statute	Confidential or Anonymous	Minimal number	10 min or less	8-5 & answer machine	1 Professional
Delaware Pop = 680,000	1989	Administrative	Confidential or Anonymous	63	1-2 min	8-5 & answer machine	3 Professional
Kentucky Pop = 3,713,000	1987	Administrative	Confidential or Anonymous	100	Varies	9:30-4:30	2 Professional
Nebraska Pop = 1,593,000	1991	Administrative	Confidential or Anonymous	Not sure 400 cases first year	15 min	8-5 & answer machine	2.5 Professional
Texas Pop = 17,349,000	May 1992	Administrative	Confidential or Anonymous	500 From 5/92 -9/92	3-4 min	8-5 & answer machine	1.5 Secretarial Refer to professional
Tennessee Pop = 4,953,000	1984	Statute	Confidential or Anonymous	700	3-5 min	8-5 & answer machine	1-Secretarial 1-Professional

Amendments to House Bill 9
Introduced Bill (White)

Prepared by Department of Justice

SENATE FINANCE AND CLAIMS

EXHIBIT NO. 2

DATE 12/6/93

BILL NO. HB 9

1. Page 3, line 22.
Strike: "place"
Insert: "plate"
2. Page 4, line 5:
Following: "chapter"
Insert: "however, if issued prior to [the effective date of this bill] to a currently registered vehicle, an original plate with the same properly assigned number as displayed on the rear of a vehicle may be displayed on the front of the vehicle until registration is renewed or ownership of the vehicle is transferred, whichever first occurs."
3. Page 37, line 5.
Strike: "a"
Insert: "two"
Strike: "plate"
Insert: "plates"
4. Page 40, line 7.
Following: "plate"
Strike: "with the same letters"
5. Page 40, line 14.
Strike: "plate with the same letters"
Insert: "lettered license plate"
6. Page 63, line 20, through page 64, line 2.
Strike: Section 40 in its entirety.
Renumber: Remaining sections.



Steven R. Harris
Chief of Police
Redmond, WA

Immediate Past President
C. Roland Vaughn III
Chief of Police
Conyers, GA

First Vice President
Sylvester Daughtry, Jr.
Chief of Police
Greensboro, NC

Second Vice President
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David G. Wachak
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Treasurer
G. H. (Gil) Keinknecht
Associate Commissioner
for Enforcement
U.S. Immigration and
Naturalization Service
Washington, D.C.

Division of State
and Provincial Police
General Chairman
Maurice J. Hannigan
Commissioner
California Highway Patrol
Sacramento, CA

Chief of Police
General Chairman
Brian Burke
Chief of Police
Lee, NH

Past President and
Parliamentarian
Charles D. Reynolds
Dover, NH

Executive Director
Daniel N. Rosenblatt
Alexandria, VA

515 North Washington Street
Alexandria, Virginia 22314-2357
Phone (703) 836-6767
Cable Address IACPOLICE

August 31, 1993

The Honorable Marc Racicot
Governor, State of Montana
Room 204, State Capitol
Helena, MT 59620

Dear Governor Racicot:

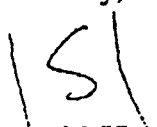
SENATE FINANCE AND CLAIMS
EXHIBIT NO. 3
DATE 12/6/93
BILL NO. HB 9

The International Association of Chiefs of Police feel it important that you know that we strongly support the use of two fully reflective license plates on all motor vehicles in the state of Montana.

The two fully reflective license plate system is an extremely important law enforcement tool. While we recognize that budget reductions are needed and important, we feel that the nominal savings involved will more than offset in officer safety and productivity.

We strongly urge you to keep the two fully reflective plate system. A copy of our resolution is attached.

Sincerely,


Ronald H. Sostkowski
Director, Division of
State and Provincial Police

Attachment: As Stated



1110 North Glebe Road
Suite 200
Arlington, Virginia 22201
Phone (703) 243-6500
Cable Address IACPOLICE

Lee P. Brown
Police Commissioner
New York, NY

Immediately Past President
Charles A. Gruber
Chief of Police
Unit of Police
Elgin, IL

First Vice President
C. Roland Vaughn, III
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G. H. Kinnear
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Enforcement
U. S. Immigration and
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Washington, D.C.

Division of State
and Provincial Police
General Chairman
Thomas A. Constantine
Superintendent
New York State Police
Albany, NY

Chief of Police
General Chairman
Theodore S. Jones
Chief of Police
Ohio University
Athens, OH

Past President and
Parliamentarian
Francis B. Leoney
Farmingdale, NY

Executive Director
Daniel N. Rosenblatt
Arlington, VA

EFFECTIVE MOTOR VEHICLE LICENSE PLATE IDENTIFICATION RESOLUTION

WHEREAS, License plates were developed to readily identify motor vehicles; and

WHEREAS, The International Association of Chiefs of Police adopted resolutions supporting the issuance of both front and rear reflectorized license plates in 1950, 1954, 1975, 1981, 1982, and 1984; and

WHEREAS, Thirty-four states and seven provinces issue both front and rear license plates; and

WHEREAS, Currently many jurisdictions issue a variety of different license plates such as 'vanity' or 'personalized' plates, 'commemorative' plates and government plates; and

WHEREAS, The vehicle-identification value is diminishing to law enforcement, particularly as it relates to witnesses and crimes involving automobiles; and

WHEREAS, Fiscal restraints placed on state and provincial governments have necessitated cost saving measures; and

WHEREAS, One of the methods proposed to cut costs is to require only one license plate on motor vehicles; and

WHEREAS, The International Association of Chiefs of Police Vehicle Identification Study Report on the Utility of License Plates for Law Enforcement, published in 1979, clearly demonstrates the benefits provided to law enforcement and the public by the two license plate system; and

WHEREAS, Rapid identification of vehicle owner and driver are imperative for officer safety in drug interdiction, driving under the influence, police pursuit, and as evidence used in the solving of other criminal acts; and

WHEREAS, Law enforcement officials recognize the need for fiscal restraint and are also faced with the need to cut costs and at the same time maintain necessary levels of service; and



12-6-93

H89

WHEREAS, Reflectorized plates have minimal costs and can be amortized over a number of years; now, therefore, be it

RESOLVED, That the International Association of Chiefs of Police does hereby reaffirm support for the previous resolution passed by the Association urging licensing officials to continue to issue both front and rear reflectorized license plates; and be it further

RESOLVED, That to ensure visibility and legible license plates, the International Association of Chiefs of Police requests that each jurisdiction periodically re-issue both front and rear reflectorized plates to ensure they are performing effectively for vehicle identification; and be it further

RESOLVED, That the International Association of Chiefs of Police recommend to the American Association of Motor Vehicle Administrators, the National Committee of Uniform Traffic Laws and Ordinances, and each licensing jurisdiction to design and adopt a unique license plate system, incorporating any personalized, commemorative or special recognition on that license plate; and be it further

RESOLVED, That a copy of this resolution be forwarded to the American Association of Motor Vehicle Administrators, state licensing officials, the governor, premiers and legislative bodies of the United States and Canadian Provinces, and appropriate governing bodies in the nations represented by members of the International Association of Chiefs of Police.



Steven H. Harris
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Alexandria, Virginia 22314-2357
Phone (703) 838-6767
Cable Address IACPOLICE

August 31, 1993

Representative William R. Wiseman
3310 Centennial Court
Great Falls, MT 59404

Dear Representative Wiseman:

The International Association of Chiefs of Police has long supported the need for two fully reflectorized license plates as noted in our attached resolution. We strongly urge you to support the continuation of this system in Montana.

Attached you will also find a copy of our letter to Governor Radtke supporting the continued use of two fully reflective license plates in Montana.

Sincerely,

Ronald H. Sostkowski
Director, Division of
State and Provincial Police

Attachments: As Stated

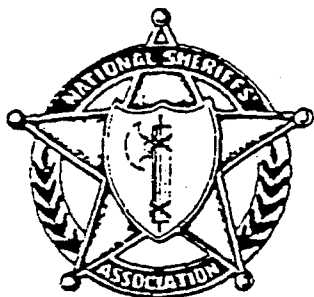
Sgt. M. Johnny Mack Brown
Pres. Cent.
Greenville, South Carolina

Charles B. Meeks
Executive Director
Alexandria, Virginia

FILE COPY

EXHIBIT 3
12-6-93
HB 9

AUG 30 1993



NATIONAL SHERIFFS' ASSOCIATION

1450 DUKE STREET • ALEXANDRIA, VIRGINIA 22314-3490

Telephone 703-835-7827

FAX 703-653-6541

August 30, 1993

Sheriff James Murphy
1st Vice President
Newport, Vermont

Sheriff John T. Pierpont
2nd Vice President
Springfield, Missouri

Sheriff Don Hathaway
3rd Vice President
Shreveport, Louisiana

Sheriff Fred Scoralick
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7th Vice President
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Sheriff John Cary Bittick
Sergeant-At-Arms
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Sheriff Henry F. Healey, Jr.
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Mitchell, South Dakota

Sheriff Frank Pollicard, Jr.
Immediate Past President
Beaver, Pennsylvania

Sheriff Bob E. Rice
Immediate Past President
Des Moines, Iowa

Richard M. Weintraub
NSA General Counsel
Washington, D.C.

Mary T. Ross
NSA Corporate Representative
Columbus, Ohio

The Honorable Marc Racicot
Governor
State of Montana
Room 204, State Capital
Helena, MT 59620

RE: Support of two (2) license plates

Dear Honorable Racicot:

Recently, the National Sheriffs' Association received pertinent information stating that the State of Montana is considering a program whereby only one (1) license plate will be issued on all motor vehicles. Our membership has passed several specific resolutions on this issue, which are contained within the cover of this letter for your review and consideration.

Resolutions

June 27, 1990 Support Of Front/Rear Reflectorized License Plates

June 20, 1989 Reflectorized License Plates

June 4, 1986 Reflectorized License Plates

News Article

Why two plates are better than one. (Better Law Enforcement with simple arithmetic).
September/October 1992 - NSA Magazine.

BOARD OF DIRECTORS

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The Honorable Marc Racicot
August 30, 1993
Page Two

Updated Resolutions

June 23, 1993

Seventy-Five Percent By
1996 Accord For The Usage
Of Seatbelt And Child
Safety Restraint Devices

June 23, 1993

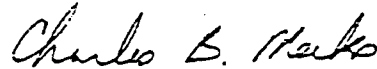
Mandatory Use Of Any/All
Seat Belts, Lap/Shoulder
And Air Bags In All Types
Of Motor Vehicles

June 23, 1993

Reducing Alcohol Related
Fatalities To 43 Percent
By 1996

Needless to say, if I can be of any further
assistance, please do not hesitate in giving me a call.

Sincerely,



Charles B. Meeks
Executive Director

Enclosures

cc: Attached Official Listings

EXHIBIT
12-6-93
HB9

Why Two Plates Are Better Than One

Better Law Enforcement with Simple Arithmetic

Simple things can be a big help. The license plate, a simple identification device, might well be called the "law officer's friend." Its value to a law enforcement officer is beyond doubt. So too, is the additional value of these "simple things" attached at each end of a vehicle.

A vehicle is stolen every 22 seconds in this country. Auto theft is one of our fastest growing crimes, costing over \$6 billion a year. Roughly 70 percent of all felonies involve cars.

It's no surprise that officers spend a hefty portion of each shift looking for cars. Anything that makes that job easier has to be an asset to law enforcement—and license plates are obviously the most easily seen identification.

In a 1980 study, for example, 75 percent of the law enforcement officers queried stated that two plates were either "absolutely essential" or "very important." Only two percent thought one plate was enough. Surveys conducted in Ohio (a two-plate state) and Pennsylvania (a one-plate state) found that 57 percent of officers in Ohio made turnarounds to pursue unidentifiable vehicles, compared to only 18 percent in Pennsylvania. Three-fourths of the Ohio law enforcement officers reported they sometimes, or very often, made arrests via front-plate identification.

Robberies at convenience stores offer a very persuasive reason for using two plates. Robbers typically park in front of a store so, in a one-plate situation, their plate number may not be visible to victims or potential witnesses.

Every major law enforcement organization in the country has endorsed the two-plate system. The National Sheriffs' Association, the International Association of Chiefs of Police, and the International Association of Police, have all gone on record in favor of two plates. Recognizing the additional safety benefits when plates are fully reflectorized, the National Safety Council also recommends two plates.

Nonetheless, a slowly shrinking minority of American states continues to ignore the obvious. How can this be?

The answer is in two parts. The first is an explanation and the second an excuse, and both relate to human nature.

First, the explanation: nearly all American states issued two plates before World War II. During the war, they switched to single-plate issues to save metal. The persistence of one-plate systems is, at least in part, due to the inertia that characterizes human behavior. There is also the human tendency to "just keep on doing what we're doing."

Now the excuse: using one plate, in the face of hard evidence and consistent professional opinion, is an economic issue. Second plates cost more money. On close examination, this excuse is even weaker than the "explanation." The second plate does involve additional costs—perhaps as much as 30 percent. Yet, when this is weighed against the 100 percent increase in vehicle identifiability and what that means for law enforcement and safety, the second plate is more of a bargain than an expense.

Neither the "expense" argument nor the administrative inertia will go away by themselves. Change won't happen without "change agents," and law enforcement officers are the logical and authoritative choices for the role. The challenge is public education. We need to explain and remind legislators and the public of the importance of the two-plate system.

In their efforts to educate the public about this issue, law enforcement officials sometimes get help from newspaper editorial writers, who point out, as the *Hartford Courant* did, that "the law enforcement needs outweigh the cost and inconvenience it will mean to renew the front plate."

Coverage in news columns, however, is hard to come by. This has not been a "hot" issue. Editors usually have more dramatic grist for their mills. Yet, given the rise in crime and the connection between crime and cars, law enforcement now has an opportunity to press for better vehicle identification—the two-plate system.

Add to the fact that two plates are a bargain in times when money is tight, and public concern about crime is high and you have a perfect example of the old adage that "every problem is really an opportunity." Law enforcement officers and organizations in one-plate states have an opportunity—when they win, we all win. After all, many one-plate cars cross state lines for illegal purposes. ☐

BY SHERIFF
JOHNNY
MACK
BROWN,
GREENVILLE
COUNTY,
SOUTH
CAROLINA,
AND THE
MEMBERS OF
THE
NATIONAL
SHERIFFS'
ASSOCIATION
TRAFFIC
SAFETY
COMMITTEE
FOR 1992-
1993



Sheriff Johnny
Mack Brown,
Greenville County,
South Carolina.

SUPPORT OF FRONT/REAR
REFLECTORIZED LICENSE PLATES

- * WHEREAS, use of both front and rear fully reflectorized safety license plates is widely recognized by the law enforcement community as vital and important in motor vehicle identification for both traffic and crime control;
- WHEREAS, an effort to repeal the requirement for the front license plate is sometimes made in response to budgetary considerations and motor vehicle design considerations, and,
- WHEREAS, if such efforts were successful, they would have a serious and negative effect on the ability of law enforcement officers to effectively identify motor vehicles; and,
- WHEREAS, the national Sheriffs' Association has long been in support of the use of both front and rear fully reflectorized license plates, as vital and important to the performance of their duties; and,

* NOW, THEREFORE, BE IT RESOLVED that the National Sheriffs' Association strongly opposes deleting the requirement for the front license plate; and,

BE IT FURTHER RESOLVED that the National Sheriffs' Association reaffirms its longstanding support, urging the reflectorized license plates.

Adopted at a meeting of the membership
This 27th day of June 1990
Denver Colorado.

NATIONAL SHERIFFS' ASSOCIATION

EXHIBIT 3
12-6-93
HB9



Resolution

Reflectorized License Plates

- WHEREAS, Use of both front and rear fully reflectorized safety license plates are widely recognized by the law enforcement community as vital and important in motor vehicle identification for both traffic and crime control; and,
- WHEREAS, the National Sheriffs' Association has long been in support of the use of both front and rear fully reflectorized license plates as vital and important to the performance of the Law Enforcement community's duties.
- WHEREAS, Front and rear reflectorized license plates enable more accurate identification of vehicles suspected of being driven by those involved in criminal activity.
- THEREFORE, BE IT RESOLVED, that the National Sheriffs' Association reaffirms its longstanding support, urging the States to issue both front and rear fully-reflectorized license plates; and
- BE IT FURTHER RESOLVED that to ensure visible and legible license plates the National Sheriffs' Association requests each state to periodically reissue both front and rear fully-reflectorized license plates to ensure they are performing effectively.



NATIONAL SHERIFFS' ASSOCIATION

1450 DUKE STREET • ALEXANDRIA, VIRGINIA 22314 • 703-836-7827

L. CARY BITT
EXECUTIVE DIRECTOR

RESOLUTION

Reflectorized License Plates

- WHEREAS, Use of both front and rear fully reflectorized safety license plates are widely recognized by the law enforcement community as vital and important in motor vehicle identification for both traffic and crime control; and
- WHEREAS, the National Sheriffs' Association has long been in support of the use of both front and rear fully reflectorized license plates as vital and important to the performance of their duties.
- WHEREAS, Front and rear reflectorized license plates enable more accurate identification of vehicles suspected of being driven by alcohol or otherwise impaired drivers;

NOW BE IT RESOLVED, that the National Sheriffs' Association reaffirms its longstanding support, urging the States to issue both front and rear fully reflectorized license plates; and

BE IT FURTHER RESOLVED, that to ensure visible and legible license plates the National Sheriffs' Association requests each state to periodically reissue both front and rear fully-reflectorized license plates to ensure they are performing effectively; and

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the American Association of Motor Vehicle Administrators, the Governors State Departments of motor vehicles and the legislative bodies of the 50 states; and to the Motor Vehicle Manufacturers Association of the United States, Inc.

Adopted at a meeting of the Membership
This 4th day of June, 1986
Reno, NV

NATIONAL SHERIFFS' ASSOCIATION



Resolution

SEVENTY-FIVE PERCENT BY 1996
ACCORD FOR THE USAGE OF SEATBELT AND
CHILD SAFETY RESTRAINT DEVICES

- WHEREAS, current nationwide safety belt usage is only 62 percent; and
- WHEREAS, studies have indicated that the proper use of lap and shoulder belts can reduce the risk of death or serious injury almost in half; and
- WHEREAS, highway crashes are the number one cause of death, and crippling injury among Americans between the ages of 6 months and 35 years; and
- WHEREAS, the National Safety Council and the National Highway Traffic Safety Administration projects 3,500 additional lives could be saved and 92,000 fewer disabling injuries could result annually by raising safety belt usage to 75 percent by the year of 1996; and
- THEREFORE, BE IT RESOLVED all States should carry out effective safety belt/child safety restraint educational and enforcement programs, and to increase and encourage the correct usage of all child passenger protection devices; and

THEREFORE, BE IT FURTHER RESOLVED that the National Sheriffs' Association supports the "75 by 96 Accord" to increase safety belt use to 75 percent by 1996.

Adopted at a meeting of the membership
This 23rd Day of June, 1993
Salt Lake City, Utah

NATIONAL SHERIFFS' ASSOCIATION



Resolution

MANDATORY USE OF ANY/ALL SEAT BELTS, LAP/SHOULDER AND AIR BAGS IN ALL TYPES OF MOTOR VEHICLES

WHEREAS, the National Sheriffs' Association goes on record supporting the mandatory use of front seat belts (lap/shoulder) and air bags; and

WHEREAS, the national death toll as it relates to traffic accidents in excess of 39,500 annually in 1992, and of which even a higher number of serious injuries is in direct relationship with failure to use front seat belts, other restraining devices, and air bags; and

WHEREAS, mandating the use of front seat belts, other restraining and air bag usage in all states would have a material impact on reducing the annual toll of motor vehicle deaths, serious injury accidents, loss of productivity, and the reduction of medical insurance claims; and

THEREFORE, BE IT RESOLVED that the National Sheriffs' Association strongly urges every state to enact specific state statutes mandating the use of front seat belts, other restraint devices, and air bag usage; and

THEREFORE, BE IT FURTHER RESOLVED that copies of this resolution shall be sent to the U.S. Secretary of Transportation, Administrator of the National Highway Safety Administration, all State Sheriffs' Association, and other pertinent criminal justice agencies involved in traffic safety enforcement and programs.

Adopted at a meeting of the membership
This 23rd Day of June, 1993
Salt Lake City, Utah

NATIONAL SHERIFFS' ASSOCIATION

EXHIBIT 3
12-6-93
HB9



Resolution

REDUCING ALCOHOL RELATED FATALITIES
TO 43 PERCENT BY 1996

WHEREAS, the National Sheriffs' Association desires to reduce crashes and their fatalities on our nations highways and roadways; and

WHEREAS, the National Highway Traffic Safety Administration has determined that by reducing alcohol related fatalities to 43 percent from the current 46 percent would save 1,850 lives per year; and

WHEREAS, the following actions will be required by all citizens, members of law enforcement, and the criminal justice community:

- o More effective laws.
- o More intensive enforcement efforts.
- o Applications of appropriate sanctions.
- o Expand public information and education programs.

WHEREAS, the National Sheriffs' Association strongly supports the reduction of alcohol related fatalities to 43 percent by 1996; and

THEREFORE, BE IT RESOLVED that the director of the National Sheriffs' Association be authorized to transmit copies of this resolution to the Secretary of Transportation, Administrator of the National Highway Traffic Safety Administration, all Safety Agencies, State Sheriffs' Associations, all other pertinent law enforcement agencies, governmental agencies, and citizens organizations to help meet this established goal of 43 percent by 1996.

Adopted at a meeting of the membership
This 24th Day of June, 1993
Salt Lake City, Utah



WHITEFISH POLICE DEPARTMENT

131 Baker Ave.
Whitefish, Montana 59937
(406) 862-2521

Chief William J. LaBrie

September 2, 1993

Governor Marc Racicot
State of Montana
Room 204
Capitol Station
Helena, Montana 59620

Dear Governor,

Recently I received information that the Montana Department of Corrections was going to submit a revised budget in which the Department would recommend that the State of Montana issue one license plate in the future. Currently the State of Montana requires two license plates for motor vehicles.

As Chief of Police for the City of Whitefish, and as President of the Montana Association of Chiefs of Police, MACOP, I would ask that the proposal to issue only one license plate to Montana Motor Vehicles not be accepted.

As per the International Association of Chiefs of Police, IACP, thirty-four states and seven Canadian Provinces issue and require both front and rear license plates. The need for rapid identification of vehicles used in crimes and for Officer Safety are the main reasons for having a two plate requirement.

I understand that the State of Montana is calling for fiscal restraints. I applaud that. I don't believe that Law Enforcement and it's Mission should be held captive to the fiscal problems, especially when all Montana Law Enforcement is experiencing increasing crime problems and calls for service. As I understand the license plate issue, each plate costs approximately \$0.79 to make. The State of Montana charges \$2.00 for a set of plates when one registers one's vehicle. It appears to me that the plates are paying for themselves.

Marc, I urge your support in favor of maintaining a two plate system in Montana. The public deserves every advantage in the fight against D.U.I.'s, Drug Traffickers, Hit & Runs, and other criminal acts where vehicles are used as a means of escape and evasion from Law Enforcement Officers. I know that you also understand the necessity and my concern for Officer Safety. A one

Governor Marc Racicot
September, 2, 1993
Page 2

plate system will negatively impact Officer Safety.

If you have any questions of me, I would be more than happy to discuss them with you.

Thank you for your understanding and support.

Sincerely,

William J. La Brie
William J. La Brie
Chief of Police

cc: Rep. Marjorie I. Fisher



MONTANA ASSOCIATION OF WOMEN HIGHWAY SAFETY LEADERS, INC.

August 30, 1993

Senator Judy Jacobson
330 Black Canyon Rd.
Butte, MT 59701

Dear Sen. Jacobson:

The Montana Women Highway Safety Leaders, Inc. is an Association of statewide women's organizations working for safer highways. They are affiliated with the National Association.

I am enclosing a copy of a resolution regarding two reflectorized license plates per car which the National passed in 1984 and which has been reaffirmed nationally and state by state since that time.

I certainly agree that Montana need to reduce spending but not at the expense of the safety of our citizens and Law Enforcement officers. I believe that two reflectorized plates are a safety feature and a law enforcement tool and I urge you to think before reducing to one plate per car.

I am not a stranger to highway safety or law enforcement, having retired as Program Manager for the Highway Traffic Safety Division after working there since it's inception in 1968 and a working member of the National Women Highway Safety Leaders Association for 25 years.

Thank you for considering my opinion, which is shared by thousands in our Association.

Sincerely,

Sylvia Casey

(Mrs.) Sylvia Casey, President
Montana Association of Women
Highway Safety Leaders, Inc.
2415 West Shore Drive
Helena, MT 59601



EXHIBIT 3
12-6-93
HB 9

RESOLUTION

WHEREAS law enforcement authorities have numerous traffic safety and crime control responsibilities; and

WHEREAS front and rear fully reflectorized license plates are recognized by law enforcement as a vital and positive tool to the performance of their duties; and

WHEREAS front and rear fully reflectorized license plates enable more accurate identification of vehicles suspected of being driven by alcohol or otherwise impaired drivers; and

WHEREAS studies have shown that front and rear fully reflectorized license plates enhances the safety factor of parked, stalled, or disabled vehicles; and

WHEREAS periodic reissue of front and rear fully reflective license plates protects the fiscal integrity of vehicle registration revenues,

NOW, THEREFORE, BE IT RESOLVED that the National Association of Women Highway Safety Leaders, Inc., urge all states to issue both front and rear fully reflectorized license plates; and

BE IT FURTHER RESOLVED that to ensure legible and visible license plates, and to protect registration revenue the National Association of Women Highway Safety Leaders, Inc., urge all states to periodically reissue both front and rear fully reflectorized license plates.

Adopted by vote of the membership this
twelfth day of September, 1984,
in general session of the Annual
Meeting at the Des Moines Marriott,
Des Moines, Iowa.



PENNSYLVANIA CHIEFS OF POLICE ASSOCIATION

PAUL M. SABOL, President
Chief of Police
Kingston Township
Municipal Building
11 Convent Road
Trucksville, PA 18708

JOHN M. WATAHOVICH
President Emeritus
Former Chief of Police
Fawcett, Retired

VICE PRESIDENTS

THEODORE R. WILLANI
Chief of Police
South Fayette Township

W. RONALD SLEAL
Chief of Police
Northern York County
Regional Police Force

SAMUEL S. ZIMMELLO
Deputy Chief of Police
Delaware County Courthouse
and Park Police

LEONARD LOTNICK
Chief of Police
Marysville

EXECUTIVE COMMITTEE

STEPHEN W. OYT, Chairman-1992
Chief of Police
Cheltenham Township

LARRY SMITH, Secretary-1993
Chief of Police
Bloomsburg

NORBERT L. MICKLOS, Treasurer-1993
Chief of Police
Franklin Park Borough

THOMAS J. DUFFIN-1992
Inspector, Community Relations
Amherst Police Department

OWEN BURNS, JR.-1992
Chief of Police
Monongahela

CHARLES H. DAVIES-1992
Chief of Police
Butler Township

HENRY E. HANSEN-1993
Superintendent of Police
Lower Merion Township

VICTOR A. DINDE-1993
Former Chief of Police
Weikens Township, Retired

ROY C. BRIDGES-1993
Chief of Police
Hummelsburg

CARL W. MIER-1993
Chief of Police
Coles Township

GEORGE R. BRADY-1994
Chief of Police
Elizabeth Township

CRAIG A. EBENSOUL-1994
Chief of Police
East Cocalico Township

THOMAS H. BATTLE-1994
Superintendent of Police
Tredyffrin Township

KAREN K. DEGENSKI
Executive Director
2941 North Front Street
Harrisburg, PA 17110
717-634-4655 or 1-800-772-PCPA

THOMAS D. CALDWELL, JR., ESQ.
Chief Counsel
353 North Front Street
Harrisburg, PA 17110
(717) 222-7331

RESOLUTION

WHEREAS, it is the policy of the states to assist law enforcement officers in their law enforcement activities; and

WHEREAS, it is an important and necessary activity of law enforcement for officers to be able to readily recognize and read the license plates on motor vehicles both when meeting or following vehicles on the highways and when vehicles are parked on or off the streets or highways both day and night; and

WHEREAS, it is crucial to the effectiveness of the aforementioned law enforcement activity that motor vehicles display fully reflectorized license plates; and

WHEREAS, the requirement that motor vehicles display both front and rear fully reflectorized license plates would aid law enforcement officers in identifying motor vehicles, enforcing traffic violations and controlling street crime;

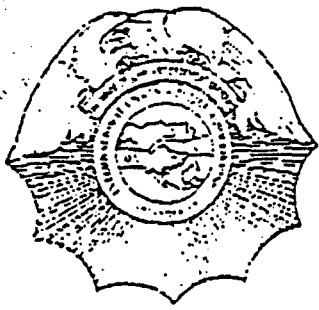
NOW, THEREFORE, BE IT RESOLVED, that the Pennsylvania Chiefs of Police Association supports any legislative or administrative action to provide fully reflectorized front and rear license plates for all motor vehicles.

Adopted July 20, 1992

July 20, 1992

Paul M. Sabol
President
Pennsylvania Chiefs of
Police Association





INTERNATIONAL UNION OF POLICE ASSOCIATIONS AFL-CIO

THE ONLY UNION FOR LAW ENFORCEMENT OFFICERS

ROBERT B. KLIESMET
International President

SAM A. CABRAL
International Secretary-Treasurer

ARTHUR J. REDDY
International Vice-President

August 30, 1993

EXHIBIT 3
12-6-93
HB9

The Honorable Marc Racicot
Governor, State of Montana
Room 204, State Capitol
Helena, Montana 59620

Dear Governor Racicot:

The International Union of Police Associations, AFL-CIO, is asking you to reconsider the removal of the front license plate as a cost saving measure in your budget proposal. The primary purpose of the license plate is to identify the vehicle and registered owner and to assure compliance with all registration laws. I believe it is generally recognized that law enforcement officers have the opportunity to read three front plates, when available, to every rear plate, thereby, significantly improving productivity. This is particularly important when you consider that 70% of all felonies involve the use of motor vehicles.

Front and rear license plates are an essential element needed by our law enforcement officers in their fight against the escalating crime problems facing our nation, by permitting the observation of license plates of oncoming vehicles as well as from the rear. When a law enforcement officer approaches, or observes, a suspect vehicle either from the front or rear, a clearly visible license plate can make a substantial difference in the officer's safety. Our International membership has adopted regular annual resolutions regarding this issue on a nationwide basis. Enclosed please find a recently adopted copy of the Resolution.

The International Union of Police Associations, AFL-CIO, hope you will consider the long term negative impact on law enforcement should this recommendation be put into effect.

Sincerely,

Robert B. Kliesmet
International President

Enclosure

cc: Sam Cabral
Arthur Reddy

RSK:MU/Racicot.Mont

FRONT & REAR FULLY REFLECTORIZED LICENSE PLATES

(title line)

WHEREAS, police officers are charged with numerous enforcement and control responsibilities which frequently involve the use of a motor vehicle, and

WHEREAS, front and rear fully reflectORIZED license plates are rated by police officers to be an important tool to effective law enforcement and the performance of their duties, and

WHEREAS, front and rear fully reflectORIZED license plates enable police officers to more readily identify motor vehicles,

NOW, THEREFORE, BE IT RESOLVED, that the International Union of Police Associations, AFL-CIO, reaffirms its support for the issuance of both front and rear fully reflectORIZED license plates, and

BE IT FURTHER RESOLVED, that to ensure legible and visible license plates the International Union of Police Associations, AFL-CIO, supports a reasonable periodic reissuance of both front and rear fully reflectORIZED license plates to ensure they are performing effectively, and

BE IT FURTHER RESOLVED, that this resolution be sent to the Governor and Attorney General of each State and be brought to the attention of other appropriate State and Federal officials.

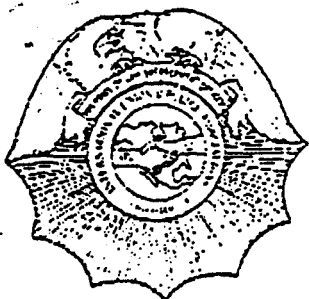
(Page 1 of 1)

SUBMITTED BY: International Headquarters (and amended by the Committee)
(Name of Union)

Committee
Assignment Resolutions

Committee
Recommendation To adopt as amended

Convention
Action Adopted as amended



INTERNATIONAL UNION OF POLICE ASSOCIATIONS AFL-CIO

THE ONLY UNION FOR LAW ENFORCEMENT OFFICERS

ROBERT B. KLIESMET
International President

SAM A. CABRAL
International Secretary-Treasurer

ARTHUR J. REDDY
International Vice-President



August 31, 1993

Mr. Dave Lewis, Director
Office of Budget & Program Planning
Room 220 State Capitol
Helena, Montana 59620

Dear Mr. Lewis:

The International Union of Police Associations, AFL-CIO, feels it is important that you know we strongly support the requirement for two fully reflective license plates. A letter of support was sent to Governor Racicot and is attached for your review.

We strongly urge your support on this issue. In view of the escalating crime in our communities today, the two fully reflectorized license plate system is one of the most important law enforcement and officer safety tools you can bestow upon our profession.

Thank you for your time and attention to this matter.

Sincerely,

A handwritten signature in dark ink, appearing to read "R. B. Kliesmet", is positioned above the typed name.

Robert B. Kliesmet
International President

Enclosure

cc: Sam A. Cabral
Arthur J. Reddy

RBK/MU/McCormack Jan



INTERNATIONAL UNION OF POLICE ASSOCIATIONS AFL-CIO

THE ONLY UNION FOR LAW ENFORCEMENT OFFICERS

ROBERT B. KLIESMET
International President

SAM A. CABRAL
International Secretary-Treasurer

ARTHUR J. REDDY
International Vice-President

August 31, 1993

EXHIBIT 3
12-6-93
HB 9

Mr. Joseph P. Mazurek, Attorney General
State of Montana
3rd Floor Justice Building
215 Sanders
Helena, Montana 59620

Dear Attorney General Mazurek:

The International Union of Police Associations, AFL-CIO, feels it is important that you know we strongly support the requirement for two fully reflective license plates. A letter of support was sent to Governor Racicot and is attached for your review.

We strongly urge your support on this issue. In view of the escalating crime in our communities today, the two fully reflectorized license plate system is one of the most important law enforcement and officer safety tools you can bestow upon our profession.

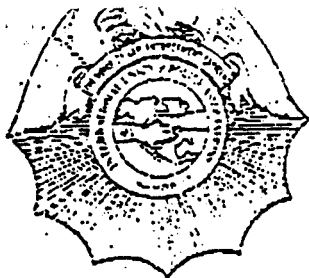
Thank you for your time and attention to this matter.

Sincerely,

Robert B. Kliesmet
International President

Enclosure

cc: Sam A. Cabral
Arthur J. Reddy



INTERNATIONAL UNION OF POLICE ASSOCIATIONS AFL-CIO

THE ONLY UNION FOR LAW ENFORCEMENT OFFICERS

ROBERT B. KLIESMET
International President

SAM A. CABRAL
International Secretary-Treasurer

ARTHUR J. REDDY
International Vice-President



August 31, 1993

EXHIBIT 3
12-6-93
HB9

The Honorable _____
Montana House of Representatives
Street Address
City, Montana 59ZIP

Dear Representative _____:

The International Union of Police Associations, AFL-CIO, feels it is important that you know we strongly support the requirement for two fully reflective license plates. A letter of support was sent to Governor Racicot and is attached for your review.

We strongly urge your support on this issue. In view of the escalating crime in our communities today, the two fully reflectorized license plate system is one of the most important law enforcement and officer safety tools you can bestow upon our profession.

Thank you for your time and attention to this matter.

Sincerely,

Robert B. Kliesmet
International President

Enclosure

cc: Sam A. Cabral
Arthur J. Reddy

RBC/MJ/Montana.12/

Crime Victim Compensation

Revenue and Total Expenditures

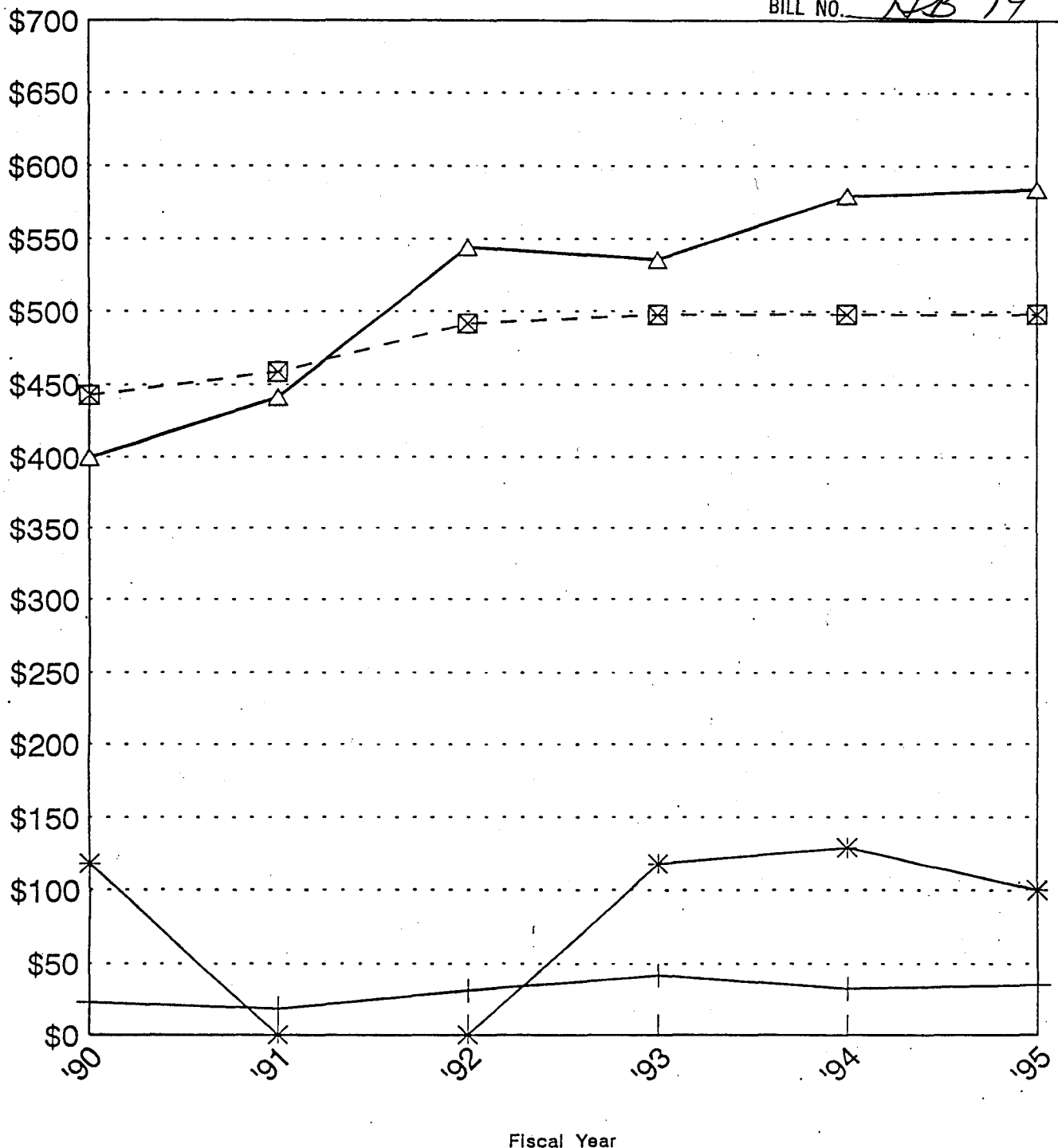
SENATE FINANCE AND CLAIMS

EXHIBIT NO. 4

DATE 12/6/93

BILL NO. NB 14

Thousands \$



▣ JP Fines + Restitution * Federal ▴ Expenditure

Crime Victim Compensation Data

Year	JP Fines	Restitution/ Subrogation	Federal	Total Expenditures
90	\$442,518	\$22,883	\$118,000	\$399,504
91	\$458,412	\$18,360	\$0 ¹	\$441,106
92	\$491,424	\$31,125	\$0	\$543,994
93	\$497,630	\$41,656	\$118,000	\$535,449
94 ²	\$498,000	\$32,370	\$129,000	\$578,939
95	\$498,000	\$35,000	\$100,000	\$583,600

Notes:

The graph of these numbers shows that crime victim compensation expenditures have exceeded revenue from Justice of the Peace (JP) fines since 1992. The difference has been made up by receipt of federal funds from the Victim of Crime Assistance Act (VOCA). The federal funds are derived from fines and penalties and states are eligible to receive grants at up to 40% of the state expenditures for victims (depending on how much is in the federal account).

Subrogation and Restitution also make up a smaller portion of the difference.

It is imperative that the proposed 'cap' on the fund be limited should federal funds not be available. **Without federal funds, the crime victims funds would not have a sufficient fund balance to avoid going in the red.** The lifting of the cap should federal funds not be available is needed so that the fund balance could grow to help minimize the shortfall over time.

Other Facts:

Claims received by the Board of Crime Control have risen each year since 1989 to almost 500 per year in '92 and an estimated 550 in '93.

The number of claims awarded benefits has also risen each year since 1989 to about 275 per year while at the same time the number of claims denied benefits has decreased since 1990 to about 140 in 1992.

The average payment per claim is about \$1,500 and is increasing. It increased 21% from \$1,200 in 1991 to \$1,500 in 1993 (fiscal years).

¹ Montana not eligible for federal funds for '91 & '92

². '94 and '95 are estimated.

EXHIBIT 4
12-6-93
HB 14

Comment:

Transferring funds and putting a 'cap' on the crime victims fund is an awkward proposition. The transfer of \$250,000 is the most significant manner by which the Board of Crime Control can assist the state in the crisis facing the Legislature in Special Session. While the transfer and 'cap' may be of immediate assistance, there may well be a time in the future when the Board of Crime Control must seek to raise the cap and/or seek additional revenues from fines and penalties to cope with increased victims costs. Those increased costs may come from two sources: 1. An increase in the number of victims of violent crime; and, 2. An increase in the cost of medical treatment.

DATE 12/6/93SENATE COMMITTEE ON Finance & ClaimsBILLS BEING HEARD TODAY: SB 23 SB 28 SB 29HB 6 HB 9 HB 14

< ■ > PLEASE PRINT < ■ >

Check One

Name	Representing	Bill No.	Support	Oppose
Eric Dutton	MT. Assoc. of Realtors			X
Robbie Jean Curtis	Mont. St. Foster Adopt. PARENT ASSOC	2 ^{SB} / ₂₃	X	
Mary Beth Dallengier	mont st Foster Adopt Parent Assoc	2 ^{SB} / ₂₃	X	
Dean G. Roberts	Dept of Justice - MVD	HB 9		X
BUD SCHOEN	DEPT. OF JUSTICE - MVD	HB 9		X
Beth Baker	Dept of Justice	HB 9		✓
Paul Kerkhofs	foster parents	2^{SB}/₂₃	X	
Susan D Johnson	foster parents	2 ^{SB} / ₂₃	X	
Qui Yde	Montana State Foster/Adoptive parents Assoc	2 ^{SB} / ₂₃	X	
Angie Ziger	Foster kid	2 ^{SB} / ₂₃	X	
Singulavyle	Foster Parent	2 ^{SB} / ₂₃	X	
PATRICK CHENOVICK	SUPREME COURT	29		
Chuck O'Reilly	Sheriff & Co.	9		X
John D. Hensley	Undersheriff Counsel to 9			X

VISITOR REGISTER

PLEASE LEAVE PREPARED STATEMENT WITH COMMITTEE SECRETARY

DATE 12/6/93SENATE COMMITTEE ON Finance & ClaimsBILLS BEING HEARD TODAY: SB 23 SB 28 SB 29
HB 6 HB 9 HB 14

< ■ > PLEASE PRINT < ■ >

Check One

Name	Representing	Bill No.	Support	Oppose
T. Baying <u>Ang</u>	<u>MSPO</u>	<u>9</u>		<u>X</u>
<u>Dany Chene</u>	<u>MSPOA</u>	<u>9</u>		<u>X</u>
<u>Pat Burns</u>	<u>BSBLEA</u>	<u>9</u>		<u>X</u>
<u>Bill WARE - Chief of Police</u>	<u>MT. ASSO. of Chiefs of Police</u>	<u>9</u>		<u>X</u>
<u>Barry Michelotti</u>	<u>Montana Sheriffs and Peace Officers Assn</u>	<u>9</u>		<u>X</u>
<u>Albert Goke</u>	<u>Assoc. Traffic Safety</u>	<u>6</u>	<u>X</u>	
<u>Ed Hall</u>	<u>MBCC</u>	<u>14</u>	<u>X</u>	
<u>Steve Turkiewicz</u>	<u>MT. Auto Dealers Assn</u>	<u>9</u>	<u>X</u>	
<u>Bill FEINER</u>	<u>Montana Sheriffs and Peace Officers Assoc</u>	<u>9</u>		<u>X</u>
<u>Tom Harrison</u>	<u>MT. Sheriff & Peace Officers</u>	<u>119</u>		<u>X</u>
<u>Scott Sonnet</u>	<u>Legislative Auditor</u>	<u>SB 28</u>		
<u>Reg Brady</u>	<u>Self</u>	<u>HB-9</u>	<u>X</u>	

VISITOR REGISTER

PLEASE LEAVE PREPARED STATEMENT WITH COMMITTEE SECRETARY