

HOUSE BILL NO. 667

INTRODUCED BY SWITZER, HOWE, THOFT,  
ELLERD, SALES, FABREGA, BERTELSEN, DEVLIN, BERGENE,  
HANSON, IVERSON, SWIFT, HOLLIDAY, STOBIE, RYAN,  
ELLISON, COMPTON, PHILLIPS, MANUAL, CURTISS,  
RAMIREZ, MARKS, SCHULTZ, KEYSER

IN THE HOUSE

February 5, 1983	Introduced and referred to Committee on Agriculture, Livestock and Irrigation.
February 14, 1983	Committee recommend bill do pass as amended. Report adopted.
February 15, 1983	Bill printed and placed on members' desks.
February 16, 1983	Second reading, do pass.
February 18, 1983	Considered correctly engrossed.
February 19, 1983	On motion, taken from engrossing and rereferred to Committee on Appropriations.
March 22, 1983	Committee recommend bill do pass. Report adopted.  Bill printed and placed on members' desks.  Second reading, do pass.
March 23, 1983	Considered correctly engrossed.  Third reading, passed. Transmitted to Senate.

**IN THE SENATE**

March 24, 1983

Introduced and referred to  
Committee on Finance and  
Claims.

March 30, 1983

Committee recommend bill be  
concurrent in. Report adopted.

Statement of Intent attached.

April 4, 1983

Second reading, concurrent in.

April 5, 1983

Third reading, concurrent in.  
Ayes, 48; Noes, 0.

**IN THE HOUSE**

April 5, 1983

Returned to House with  
Statement of Intent.

April 7, 1983

Second reading, Statement of  
Intent concurrent in.

April 8, 1983

Third reading, Statement of  
Intent concurrent in.

Sent to enrolling.

Reported correctly enrolled.

1 *House* BILL NO. *667*  
 2 INTRODUCED BY *Switzer House Staff - ELLERD Sales*  
 3 *George Bartley, David Payne, M. Hansen*  
 4 *David Smith, Holliday* A BILL FOR AN ACT ENTITLED: "AN ACT CREATING A LIVESTOCK  
 5 CRIMESTOPPERS PROGRAM WITHIN THE DEPARTMENT OF LIVESTOCK;  
 6 APPROPRIATING FUNDS FOR THE PROGRAM; AND PROVIDING AN  
 7 EFFECTIVE DATE." *Cartiss Ramsey, Mark Schuch, Allison*  
 8 *Heyser, Manuel*  
 9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10 Section 1. Short title. [This act] may be cited as the  
 11 "Livestock Crimestoppers Act".

12 Section 2. Definitions. As used in [this act], the  
 13 following definitions apply:

14 (1) "Commission" means the livestock crimestoppers  
 15 commission created in [section 3].

16 (2) "Department" means the department of livestock  
 17 created in Title 2, chapter 15, part 31.

18 (3) "Program" means the livestock crimestoppers  
 19 program created under [section 6].

20 Section 3. Livestock crimestoppers commission. (1)  
 21 There is a livestock crimestoppers commission.

22 (2) The commission consists of five members appointed  
 23 by the chairman of the board of livestock. The members are:

24 (a) the administrator of the brands enforcement  
 25 division, or his designee;

1 (b) a member of the board of livestock, or his  
 2 designee;

3 (c) a law enforcement official; and

4 (d) two members of the public, appointed at large.

5 (3) The commission shall elect a chairman from its  
 6 members.

7 (4) A member must be appointed for a term of 2 years  
 8 and may be reappointed.

9 (5) (a) A vacancy must be filled within 14 days of  
 10 occurrence in the same manner as the original appointment.

11 (b) A vacancy does not impair the right of the  
 12 remaining members to exercise the powers of the commission.

13 (6) The commission is allocated to the department of  
 14 livestock for administrative purposes only as provided in  
 15 2-15-121.

16 Section 4. Compensation. Members of the commission may  
 17 receive no salary but must be paid expenses incurred while  
 18 on official business, as provided for in 2-18-501 through  
 19 2-18-503.

20 Section 5. Functions of commission. The commission  
 21 shall recommend to the department:

22 (1) the names of individuals to be rewarded for  
 23 providing information used in detecting and combating  
 24 livestock-related crimes;

25 (2) the amount of any reward recommended; and

1 (3) means for promoting the program.

2 Section 6. Powers and duties of department. (1) The  
3 department shall:

4 (a) create, maintain, and promote a statewide  
5 livestock crimestoppers program in order to assist law  
6 enforcement agencies in detecting and combating  
7 livestock-related crimes; and

8 (b) consider the commission's recommendations and take  
9 action on them.

10 (2) The department may:

11 (a) advise and assist in the creation and maintenance  
12 of local programs;

13 (b) encourage the channeling of information from the  
14 programs to law enforcement agencies;

15 (c) foster the detection of livestock-related crimes  
16 by the public;

17 (d) encourage the public, through a reward program or  
18 otherwise, to provide information that assists in the  
19 prosecution of livestock-related crimes;

20 (e) promote the state and local programs through the  
21 media; and

22 (f) accept gifts, grants, or donations for the  
23 furtherance of the program and spend these in compliance  
24 with the conditions of the gifts, grants, or donations.

25 Section 7. Rules. The department may adopt rules

1 necessary to administer the provisions of [this act].

2 Section 8. Confidentiality. The identity of a person  
3 submitting information under the program and any information  
4 that may lead to the disclosure of such identity is  
5 confidential, except that such information may be disclosed  
6 among those individuals involved in the program to the  
7 extent such information is needed for purposes of  
8 implementing the program. A person whose confidentiality is  
9 protected by this section may waive, in writing, the right  
10 to confidentiality.

11 Section 9. Codification instruction. Section 2 is  
12 intended to be codified as an integral part of Title 2,  
13 chapter 15, part 31.

14 Section 10. Appropriation. There is appropriated to  
15 the department of livestock for the biennium ending June 30,  
16 1985, \$10,000 from the money deposited in the earmarked  
17 revenue fund established in 81-4-606 for the purpose of  
18 administering the program provided for in this act.

19 Section 11. Effective date. This act is effective July  
20 1, 1983.

-End-

## STATE OF MONTANA

REQUEST NO. 349-83

## FISCAL NOTE

Form BD-15

In compliance with a written request received February 7, , 19 83 , there is hereby submitted a Fiscal Note for House Bill 667 pursuant to Title 5, Chapter 4, Part 2 of the Montana Code Annotated (MCA).

Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

DESCRIPTION OF PROPOSED LEGISLATION:

House Bill 667 creates a livestock crimestoppers program within the Department of Livestock.

ASSUMPTIONS:

- 1) There will be a telephone hotline established for the reporting of possible crimes.
- 2) All commission appointees will be local, avoiding all expense except meals.
- 3) This act will be administered and funded by the Inspection and Control Program.

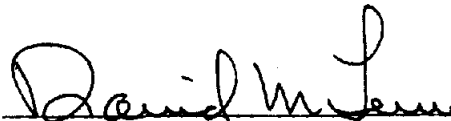
FISCAL IMPACT:

	<u>FY 84</u>	<u>FY 85</u>
Telephone Expense	<u>\$ 5,000</u>	<u>\$ 5,000</u>
Commission Expense	<u>1,000</u>	<u>1,000</u>
Rewards	<u>4,000</u>	<u>4,000</u>
Total Expense to Inspection and Control	<u>\$10,000</u>	<u>\$10,000</u>

TECHNICAL NOTE:

Section 10 of the act appropriates \$10,000 for the 1985 biennium. This should be changed to \$10,000 each year of the biennium ending June 30, 1985.

FISCAL NOTE 12:C/1



BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 2-9-83

Approved by Comm.  
on Appropriations

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

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(b) a member of the board of livestock, or his  
designee;

(c) a law enforcement official; and

(d) two members of the public, appointed at large.

(3) The commission shall elect a chairman from its  
members.

(4) A member must be appointed for a term of 2 years  
and may be reappointed.

(5) (a) A vacancy must be filled within 14 days of  
occurrence in the same manner as the original appointment.

(b) A vacancy does not impair the right of the  
remaining members to exercise the powers of the commission.

(6) The commission is allocated to the department of  
livestock for administrative purposes only as provided in  
2-15-121.

Section 4. Compensation. Members of the commission may  
receive no salary but must be paid expenses incurred while  
on official business, as provided for in 2-18-501 through  
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Section 5. Functions of commission. The commission  
shall recommend to the department:

1 (1) the names of individuals to be rewarded for  
2 providing information used in detecting and combating  
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18 programs to law enforcement agencies;

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20 by the public;

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22 otherwise, to provide information that assists in the  
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25 media; and

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2 furtherance of the program and spend these in compliance  
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4 Section 7. Rules. The department may adopt rules  
5 necessary to administer the provisions of [this act].

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7 submitting information under the program and any information  
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9 confidential--except--that--such--information--may--be--disclosed  
10 among--those--individuals--involved--in--the--program--to--the  
11 extent--such--information--is--needed--for--purposes--of  
12 implementing--the--program--A--person--whose--confidentiality--is  
13 protected--by--this--section--may--waive--in--writing--the--right  
14 to--confidentiality.

15 Section 9. Codification instruction. Section 23 is  
16 intended to be codified as an integral part of Title 2,  
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19 the department of livestock for the biennium ending June 30,  
20 1985, ~~\$10,000~~ \$20,000 from the money deposited in the  
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(5) (a) A vacancy must be filled within 14 days of  
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(f) accept gifts, grants, or donations for the furtherance of the program and spend these in compliance with the conditions of the gifts, grants, or donations.

Section 7. Rules. The department may adopt rules necessary to administer the provisions of [this act].

Section 8. Confidentiality. The identity of a person submitting information under the program and any information that may lead to the disclosure of such identity is confidential ~~except that such information may be disclosed among those individuals involved in the program to the extent such information is needed for purposes of implementing the program. A person whose confidentiality is protected by this section may waive in writing the right to confidentiality.~~

Section 9. Codification instruction. Section 2 is intended to be codified as an integral part of Title 2, chapter 15, part 31.

Section 10. Appropriation. There is appropriated to the department of livestock for the biennium ending June 30, 1985, ~~\$18,000~~ \$20,000 from the money deposited in the earmarked revenue fund established in 81-4-606 for the purpose of administering the program provided for in this act.

Section 11. Effective date. This act is effective July 1, 1983.

March 30, 1983

SENATE STANDING COMMITTEE REPORT  
(Finance & Claims)

The following Statement of Intent has been added to House Bill No. 667:

A statement of intent is required for this bill because it grants rulemaking authority to the Department of Livestock for the purpose of administering the Livestock Crimestoppers Program.

It is contemplated that the Department establish rules for instituting an award program, including criteria to be used in determining who will receive the rewards and the amount of the rewards in order to guarantee that the rewards be granted through a reasonable and consistent procedure.

It is also contemplated that the Department delineate rules for guaranteeing the confidentiality of persons providing crime-related information. These rules must be in accordance with the constitutional right to know and the right of privacy, so that confidentiality will be maintained only when "the demand of individual privacy clearly exceeds the merits of public disclosure".

It is further intended that, to facilitate the transmitting of crime-related information from the public to the Department, the Department establish a toll-free telephone number throughout the state. This toll-free number should be publicized statewide on the radio and in the press.

## 1 STATEMENT OF INTENT

1 press.

## 2 HOUSE BILL 667

## 3 House Finance and Claims Committee

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