

SENATE BILL NO. 209

INTRODUCED BY MOHAR, REAM, FULLER

BY REQUEST OF THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS

IN THE SENATE

January 23, 1985	Introduced and referred to Committee on Fish and Game.
February 6, 1985	Committee recommend bill do pass. Report adopted.  Statement of Intent attached.
February 7, 1985	Bill printed and placed on members' desks.
February 9, 1985	Second reading, do pass.
February 11, 1985	Considered correctly engrossed.
February 12, 1985	Third reading, passed. Ayes, 33; Noes, 17.  Transmitted to House.

IN THE HOUSE

February 27, 1985	Introduced and referred to Committee on Fish and Game.
March 15, 1985	Committee recommend bill be concurred in as amended. Report adopted.
March 19, 1985	Second reading, concurred in.
March 21, 1985	Third reading, concurred in.  Returned to Senate with amendments.

IN THE SENATE

March 21, 1985

Received from House.

March 23, 1985

Second reading, amendments  
concurrent in.

March 26, 1985

Third reading, amendments  
concurrent in. Ayes, 46;  
Noes, 4.

Sent to enrolling.

Reported correctly enrolled.

1 Senate BILL NO. 209  
 2 INTRODUCED BY Motom Ream Fuller  
 3 BY REQUEST OF THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS  
 4  
 5 A BILL FOR AN ACT ENTITLED: "AN ACT CREATING A FISH AND  
 6 WILDLIFE CRIMESTOPPERS PROGRAM WITHIN THE DEPARTMENT OF  
 7 FISH, WILDLIFE, AND PARKS; AND PROVIDING AN EFFECTIVE DATE."

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

9 Section 1. Short title. [This act] may be cited as the  
10 "Fish and Wildlife Crimestoppers Act".

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

13 (1) "Board" means the fish and wildlife crimestoppers  
14 board created in [section 7].

15 (2) "Department" means the department of fish,  
16 wildlife, and parks.

17 (3) "Program" means the fish and wildlife  
18 crimestoppers program created under [section 5].

19 Section 3. Functions of the board. The board shall  
20 recommend to the department:

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

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

1 (3) means for promoting the program.

2 Section 4. Compensation. Members of the board are  
3 entitled to no salary but are entitled to expenses incurred  
4 while on official business, as provided in 2-18-501 through  
5 2-18-503.

6 Section 5. Powers and duties of department -- rules.

7 (1) The department shall:

8 (a) create, maintain, and promote a statewide fish and  
9 wildlife crimestoppers program in order to assist law  
10 enforcement agencies in detecting and combating fish and  
11 wildlife-related crimes; and

12 (b) consider the board's recommendations and take  
13 action on them.

14 (2) The department may:

15 (a) advise and assist in the creation and maintenance  
16 of local programs;

17 (b) encourage the channeling of information from state  
18 and local programs to law enforcement agencies;

19 (c) foster the detection of fish and wildlife-related  
20 crimes by the public;

21 (d) encourage the public, through a reward program or  
22 otherwise, to provide information that assists in the  
23 prosecution of fish and wildlife-related crimes;

24 (e) promote state and local programs through the  
25 media;



INTRODUCED BILL  
-2- SB 209

1 (f) accept gifts, grants, or donations for the  
2 furtherance of the program and spend these in compliance  
3 with the conditions of the gifts, grants, or donations; and

4 (g) adopt rules necessary to administer the provisions  
5 of [this act].

6 Section 6. Confidentiality. The identity of a person  
7 submitting information under the program and any information  
8 that may lead to the disclosure of such identity is  
9 confidential.

10 Section 7. Fish and wildlife crimestoppers board.

11 (1) There is a fish and wildlife crimestoppers board.

12 (2) (a) The board consists of five members, four of  
13 whom are appointed by the director of the department of  
14 fish, wildlife, and parks, as follows:

15 (i) the person within the department responsible for  
16 the enforcement of fish and wildlife laws;

17 (ii) a member of a sportsmen's or conservation group;  
18 and

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

20 (b) The fifth member is a member of the fish and game  
21 commission who shall be designated by the commission.

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

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

25 (5) (a) A vacancy must be filled within 14 days of

1 occurrence in the same manner as the original appointment.

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

4 (6) The board is allocated to the department of fish,  
5 wildlife, and parks for administrative purposes only as  
6 provided in 2-15-121.

7 Section 8. Effective date. This act is effective July  
8 1, 1985.

-End-

APPROVED BY COMM.  
ON FISH AND GAME

1 STATEMENT OF INTENT

2 SENATE BILL 209

3 Senate Fish and Game Committee

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6 it grants rulemaking authority to the department of fish,  
7 wildlife, and parks for the purpose of administering the  
8 fish and game crimestoppers program.

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

14 It is also contemplated that the department draft rules  
15 for guaranteeing the confidentiality of persons providing  
16 crime-related information. The rules must comply with the  
17 constitutional right to know and the right of privacy;  
18 confidentiality will be maintained only when the demand of  
19 individual privacy clearly exceeds the merits of public  
20 disclosure.

21 To facilitate the transmitting of crime-related  
22 information from the public to the department, the  
23 department would establish a toll-free telephone number  
24 throughout the state. This toll-free number should be  
25 publicized statewide on the radio and in the press.

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25 (5) (a) A vacancy must be filled within 14 days of

1 occurrence in the same manner as the original appointment.

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# STANDING COMMITTEE REPORT

HOUSE

MARCH 14

19 85

MR. ....SPEAKER.....

We, your committee on ..... FISH AND GAME .....

having had under consideration ..... SENATE ..... Bill No. 209

THIRD reading copy ( BLUE )  
color

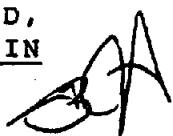
CREATING A FISH AND WILDLIFE CRIME STOPPERS PROGRAM

Respectfully report as follows: That ..... SENATE ..... Bill No. 209 .....

BE AMENDED AS FOLLOWS:

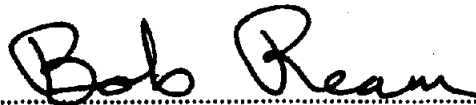
1. Page 3, line 18.  
Strike: "and"  
Insert: "(iii) a member who is actively engaged in agricultural production;"
2. Page 3, line 19.  
Strike: "(iii) two members"  
Insert: "(iv) a member"

AND AS AMENDED,  
BE CONCURRED IN



DO PASS

AVA 3-15-85

  
.....  
BOB REAM, Chairman.

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19 (III) A MEMBER WHO IS ACTIVELY ENGAGED IN AGRICULTURAL  
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