

SENATE BILL NO. 154

INTRODUCED BY MANNING

BY REQUEST OF THE ATTORNEY GENERAL

IN THE SENATE

January 18, 1979	Introduced and referred to Committee on Highways and Transportation.
January 29, 1979	Committee recommend bill do pass and be placed on Consent Calendar. Report adopted.
January 31, 1979	Printed and placed on members' desks.
February 1, 1979	Consent Calendar discussion.
February 2, 1979	Consent Calendar, do pass. Transmitted to second house.

IN THE HOUSE

February 3, 1979	Introduced and referred to Committee on Highways and Transportation.
March 2, 1979	Committee recommend bill be concurred in. Report adopted.
March 3, 1979	Second reading, concurred in.
March 6, 1979	Third reading, concurred in.

IN THE SENATE

March 7, 1979	Returned from second house. Concurred in. Sent to enrolling. Reported correctly enrolled.
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Senate BILL NO. *154*

INTRODUCED BY

Manning

BY REQUEST OF THE ATTORNEY GENERAL

A BILL FOR AN ACT ENTITLED: "AN ACT TO REVISE AND CLARIFY SECTIONS 44-1-301, 44-1-302, 44-1-303, 44-1-402, 44-1-601, 44-1-602, AND 44-1-705, MCA, TRANSFERRING TO THE HIGHWAY PATROL CHIEF CERTAIN DUTIES AND POWERS OF THE DIVISION OF MOTOR VEHICLES."

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

Section 1. Section 44-1-301, MCA, is amended to read:

"44-1-301. General supervisory powers. The division chief shall have direct control and supervision of all patrolmen, subject to the approval of the attorney general."

Section 2. Section 44-1-302, MCA, is amended to read:

"44-1-302. Powers relating to supervisory personnel. The duties and jurisdiction of the supervisory personnel shall be outlined and defined by and under the control of the division chief."

Section 3. Section 44-1-303, MCA, is amended to read:

"44-1-303. Duties. The division chief, with the approval of the attorney general and within the limits of any appropriation made available for such purposes, shall:

(1) designate the authority and responsibility in each

rank, grade, and position;

(2) formulate standards, policies, and qualifications in the selection of recruit patrolmen;

(3) prescribe the official uniform of the Montana highway patrol;

(4) station employees in such localities as ~~it~~ he shall deem advisable for the enforcement of the traffic laws of this state;

(5) charge against each employee the value of property of the state lost or destroyed through the carelessness or neglect of such employee;

(6) discharge, demote, or temporarily suspend after hearing, as provided in parts 7 and 8 of this chapter, any patrolman of the department;

(7) have purchased or otherwise acquired by the purchasing department of the state motor equipment and all other equipment and commodities deemed by ~~it~~ him essential to the efficient operation of the Montana highway patrol."

Section 4. Section 44-1-402, MCA, is amended to read:

"44-1-402. Appointment of supervisory personnel. Supervisory personnel shall be selected from the patrolmen by the division chief. The division chief shall designate supervisory personnel, including but not limited to captains, lieutenants, sergeants, and patrolmen, in such numbers as necessary but within the limits of the

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1 legislative appropriation made available for such
2 purposes."

3 Section 5. Section 44-1-601, MCA, is amended to read:

4 "44-1-601. Probationary training and service --
5 patrolmen. All new patrolmen shall be placed under
6 probationary training and service for a period of 6 months
7 to 1 year, during which time the division chief must
8 recommend permanent appointments; otherwise the probationary
9 patrolmen will automatically be discharged."

10 Section 6. Section 44-1-602, MCA, is amended to read:

11 "44-1-602. Probationary training and service --
12 supervisory personnel. All newly appointed supervisory
13 personnel shall be placed under probationary training and
14 service for a period of 6 months to 1 year, during which
15 time the division chief must recommend permanent
16 appointments; otherwise the supervisory personnel will
17 automatically revert to their previous ranks without
18 prejudice."

19 Section 7. Section 44-1-705, MCA, is amended to read:

20 "44-1-705. Suspension pending hearing and decision. If
21 the division orders a hearing, +t the chief may suspend such
22 patrolman pending the rendition of the decision made in such
23 case."

-End-

Approved by Committee on Highways & Transportation

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