

HOUSE BILL NO. 143

Introduced: 01/10/83

Referred to Committee on Judiciary: 01/10/83

Hearing: 1/17/83

Report: 01/17/83, Do Pass, As Amended

2nd Reading: 01/19/83, Do Pass

3rd Reading: 01/21/83, Do Pass

Transmitted to Senate: 1/21/83

Referred to Committee on Judiciary: 01/22/83

Hearing: 2/8/83

Report: 02/23/83, Be Not Concurred In. Report Adopted.

Bill Killed

1 House BILL NO. 143
2 INTRODUCED BY Ernst
3 BY REQUEST OF THE BOARD OF CRIME CONTROL
4
5 A BILL FOR AN ACT ENTITLED: "AN ACT TO ALLOW EMPLOYEES OF
6 THE STATE AND ITS POLITICAL SUBDIVISIONS TO ATTEND THE
7 MONTANA LAW ENFORCEMENT ACADEMY IF THEIR EMPLOYMENT RELATES
8 TO THE CRIMINAL JUSTICE SYSTEM; AMENDING SECTIONS 44-10-102,
9 44-10-202, AND 44-10-301 THROUGH 44-10-303, MCA."
10
11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
12 Section 1. Section 44-10-102, MCA, is amended to read:
13 "44-10-102. Purpose. The purpose of this chapter shall
14 be to establish a Montana law enforcement academy to provide
15 Montana law enforcement officers and other eligible persons
16 with a means of securing additional training in the field of
17 law enforcement."
18 Section 2. Section 44-10-202, MCA, is amended to read:
19 "44-10-202. Powers and duties of department. The
20 department of justice shall have the power and it shall be
21 its duty to:
22 (1) choose a site for the Montana law enforcement
23 academy at the unit of the university system of Montana
24 which in the determination of the department is best suited
25 for the needs of the academy;

1 (2) establish qualifications for admission to the
2 academy;
3 (3) select from among the qualified applicants those
4 officers and other eligible persons who are to attend the
5 academy each year;
6 (4) determine the curriculum and methods of training
7 for the officers and other eligible persons attending the
8 academy;
9 (5) select and hire such staff as it deems necessary
10 to implement this chapter;
11 (6) establish rules for the conduct of the officers at
12 and other persons attending the academy;
13 (7) award appropriate certificates to the officers and
14 other persons who successfully complete their training,
15 which certificates shall be signed by the president of the
16 selected university unit;
17 (8) provide for the keeping of permanent records of
18 enrollment, attendance, and graduation and such other
19 records as the department may deem necessary;
20 (9) make a yearly report in writing of the activities
21 of the academy. Copies of this report shall be sent to the
22 governor, attorney general, and secretary of state.
23 (10) do all other things necessary and desirable for
24 the establishment and operation of the academy not
25 inconsistent with this chapter or the constitution and

1 statutes of the state of Montana;

2 (11) accept and expend grants from federal, state,
3 county, and city governments or private persons,
4 associations, or corporations."

5 Section 3. Section 44-10-301, MCA, is amended to read:

6 "44-10-301. Eligibility. All bona fide Montana law
7 enforcement officers and all other employees of the state of
8 Montana or any of its political subdivisions whose
9 employment is related to the criminal justice system shall
10 be eligible to apply for admission to this academy."

11 Section 4. Section 44-10-302, MCA, is amended to read:

12 "44-10-302. Retention of employment rights. All
13 officers and other persons attending the academy shall be
14 paid their regular salary during their attendance at the
15 academy, and time spent in such attendance shall not be
16 deducted from the vacation to which any attending officer or
17 other person is entitled. No officer or other person shall
18 lose any pension, seniority, or other rights by reason of
19 attendance at the academy."

20 Section 5. Section 44-10-303, MCA, is amended to read:

21 "44-10-303. Expenditure of funds by local governments
22 authorized. The expenditure of funds by any city, town,
23 municipality, or county for the board, room, and travel
24 expenses of the officers an officer or other person
25 attending the academy shall be a lawful expenditure."

Approved by Committee
on Judiciary

HOUSE BILL NO. 143

INTRODUCED BY ERNST

BY REQUEST OF THE BOARD OF CRIME CONTROL

A BILL FOR AN ACT ENTITLED: "AN ACT TO ALLOW EMPLOYEES OF THE STATE AND ITS POLITICAL SUBDIVISIONS TO ATTEND THE MONTANA LAW ENFORCEMENT ACADEMY IF THEIR EMPLOYMENT--RELATES TO ~~THEY ARE EMPLOYED WITHIN~~ THE CRIMINAL JUSTICE SYSTEM AND GIVING PRIORITY IN THE ACADEMY SELECTION PROCESS TO LAW ENFORCEMENT OFFICERS; AMENDING SECTIONS 44-10-102, 44-10-202, AND 44-10-301 THROUGH 44-10-303, MCA."

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

Section 1. Section 44-10-102, MCA, is amended to read: "44-10-102. Purpose. The purpose of this chapter shall be to establish a Montana law enforcement academy to provide Montana law enforcement officers and other eligible persons with a means of securing additional training in the field of law enforcement."

Section 2. Section 44-10-202, MCA, is amended to read: "44-10-202. Powers and duties of department. The department of justice shall have the power and it shall be its duty to:

(1) choose a site for the Montana law enforcement academy at the unit of the university system of Montana

which in the determination of the department is best suited for the needs of the academy;

(2) establish qualifications for admission to the academy;

(3) select from among the qualified applicants those officers and other eligible persons who are--to--attend--the academy--each--year, GIVING PRIORITY TO LAW ENFORCEMENT OFFICERS, WHO ARE TO ATTEND ANY ACADEMY PROGRAM;

(4) determine the curriculum and methods of training for the officers and other eligible persons attending the academy;

(5) select and hire such staff as it deems necessary to implement this chapter;

(6) establish rules for the conduct of the officers at and other persons attending the academy;

(7) award appropriate certificates to the officers and other persons who successfully complete their training, ~~which certificates shall be signed by the president of the selected university unit;~~

(8) provide for the keeping of permanent records of enrollment, attendance, and graduation and such other records as the department may deem necessary;

(9) make a yearly report in writing of the activities of the academy. Copies of this report shall be sent to the governor, attorney general, and secretary of state.

(10) do all other things necessary and desirable for the establishment and operation of the academy not inconsistent with this chapter or the constitution and statutes of the state of Montana;

(11) accept and expend grants from federal, state, county, and city governments or private persons, associations, or corporations."

Section 3. Section 44-10-301, MCA, is amended to read:

"44-10-301. Eligibility. All bona fide Montana law enforcement officers ~~and all other employees of the state of Montana or any of its political subdivisions whose employment is related to~~ WHO ARE EMPLOYED WITHIN the criminal justice system shall be eligible to apply for admission to this academy."

Section 4. Section 44-10-302, MCA, is amended to read:

"44-10-302. Retention of employment rights. All officers ~~and other persons attending the academy~~ shall be paid their regular salary during their attendance at the academy, and time spent in such attendance shall not be deducted from the vacation to which any attending officer ~~or other person~~ is entitled. No officer ~~or other person~~ shall lose any pension, seniority, or other rights by reason of attendance at the academy."

Section 5. Section 44-10-303, MCA, is amended to read:

"44-10-303. Expenditure of funds by local governments

authorized. The expenditure of funds by any city, town, municipality, or county for the board, room, and travel expenses of ~~the--officers an officer or other person~~ attending the academy shall be a lawful expenditure."

-End-

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6 THE STATE AND ITS POLITICAL SUBDIVISIONS TO ATTEND THE
7 MONTANA LAW ENFORCEMENT ACADEMY IF ~~THEIR EMPLOYMENT RELATES~~
8 ~~TO~~ THEY ARE EMPLOYED WITHIN THE CRIMINAL JUSTICE SYSTEM AND
9 GIVING PRIORITY IN THE ACADEMY SELECTION PROCESS TO LAW
10 ENFORCEMENT OFFICERS; AMENDING SECTIONS 44-10-102,
11 44-10-202, AND 44-10-301 THROUGH 44-10-303, MCA."
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16 be to establish a Montana law enforcement academy to provide
17 Montana law enforcement officers and other eligible persons
18 with a means of securing additional training in the field of
19 law enforcement."
20 Section 2. Section 44-10-202, MCA, is amended to read:
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22 department of justice shall have the power and it shall be
23 its duty to:
24 (1) choose a site for the Montana law enforcement
25 academy at the unit of the university system of Montana

1 which in the determination of the department is best suited
2 for the needs of the academy;
3 (2) establish qualifications for admission to the
4 academy;
5 (3) select from among the qualified applicants those
6 officers and other eligible persons who are to attend the
7 academy each year, giving priority to law enforcement
8 officers, who are to attend any academy program;
9 (4) determine the curriculum and methods of training
10 for the officers and other eligible persons attending the
11 academy;
12 (5) select and hire such staff as it deems necessary
13 to implement this chapter;
14 (6) establish rules for the conduct of the officers et
15 and other persons attending the academy;
16 (7) award appropriate certificates to the officers and
17 other persons who successfully complete their training
18 which certificates shall be signed by the president of the
19 selected university unit;
20 (8) provide for the keeping of permanent records of
21 enrollment, attendance, and graduation and such other
22 records as the department may deem necessary;
23 (9) make a yearly report in writing of the activities
24 of the academy. Copies of this report shall be sent to the
25 governor, attorney general, and secretary of state.

1 (10) do all other things necessary and desirable for
 2 the establishment and operation of the academy not
 3 inconsistent with this chapter or the constitution and
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5 (11) accept and expend grants from federal, state,
 6 county, and city governments or private persons,
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8 Section 3. Section 44-10-301, MCA, is amended to read:

9 "44-10-301. Eligibility. All bona fide Montana law
 10 enforcement officers and all other employees of the state of
 11 Montana or any of its political subdivisions whose
 12 employment--is--related--to WHO ARE EMPLOYED WITHIN the
 13 criminal justice system shall be eligible to apply for
 14 admission to this academy."

15 Section 4. Section 44-10-302, MCA, is amended to read:

16 "44-10-302. Retention of employment rights. All
 17 officers and other persons attending the academy shall be
 18 paid their regular salary during their attendance at the
 19 academy, and time spent in such attendance shall not be
 20 deducted from the vacation to which any attending officer or
 21 other person is entitled. No officer or other person shall
 22 lose any pension, seniority, or other rights by reason of
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1 authorized. The expenditure of funds by any city, town,
 2 municipality, or county for the board, room, and travel
 3 expenses of the--officers an officer or other person
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-End-