

HOUSE BILL NO. 683

INTRODUCED BY CONNELLY, C. SMITH, JONES, NELSON, B. BROWN

IN THE HOUSE

February 5, 1985	Introduced and referred to Committee on Local Government.
February 11, 1985	Committee recommend bill do not pass.
February 12, 1985	Objection to adverse committee report. Bill printed and placed on members' desks.
February 14, 1985	Second reading, do pass as amended. Correctly engrossed.
February 15, 1985	Third reading, passed. Transmitted to Senate.

IN THE SENATE

February 16, 1985	Introduced and referred to Committee on Local Government.
March 29, 1985	Committee recommend bill be concurred in. Report adopted.
March 30, 1985	Second reading, concurred in.
April 1, 1985	Third reading, concurred in. Ayes, 48; Noes, 0. Returned to House.

IN THE HOUSE

April 2, 1985

Received from Senate.

Sent to enrolling.

Reported correctly enrolled.

HOUSE BILL NO. 683

INTRODUCED BY Councilly C Smith, James Nelson
Bob Brown

A BILL FOR AN ACT ENTITLED: "AN ACT TO AUTHORIZE A COUNTY GOVERNING BODY TO ENACT ORDINANCES FOR THE ENFORCEMENT OF COUNTY PARK BOARD RULES; TO ALLOW THE COUNTY GOVERNING BODY TO AUTHORIZE A COUNTY PARK BOARD TO EMPLOY A COUNTY PARK WARDEN; TO PROVIDE THAT SUCH A WARDEN MAY BE A PEACE OFFICER; AMENDING SECTION 7-16-2322, MCA."

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

Section 1. Section 7-16-2322, MCA, is amended to read:

"7-16-2322. Rules and ordinances to implement part.

(1) (a) A county park board, in addition to powers and duties now given under law, shall have the following powers and duties:

(a)(i) to make all rules necessary or convenient to protect and promote the improvement of land and facilities under the care and control of said board and for the protection of birds and animals inhabiting or frequenting land and facilities in parks and public places;

(b)(ii) to make all rules for the use of land and facilities by the public; and

(c)(iii) to provide penalties for the violation of such rules.

(2)(b) The rules authorized by this section shall subsection (1) have the force of resolutions of the county commissioners.

(2) The county governing body, by the adoption of an ordinance in substantial compliance with the provisions of 7-5-103 through 7-5-107, may:

(a) provide that violations of specific rules adopted pursuant to subsection (1) constitute criminal offenses and are punishable as provided in 7-5-109; and

(b) authorize a county park board to employ a county park warden to enforce park rules and ordinances. A county park warden may be a peace officer, as defined in 46-1-201, and if so designated, a county park warden is subject to the qualifications and training provisions of 7-32-303."

-End-

INTRODUCED BILL
HB 683

COMM.
ON LOCAL GOVERNMENT
RECOMMEND DO NOT PASS
OBJECTION RAISED TO
ADVERSE COMMITTEE REPORT

1 HOUSE BILL NO. 683
2 INTRODUCED BY Connolly, C. Smith, Jones Nelson
3 Bob Brown

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO AUTHORIZE A COUNTY
5 GOVERNING BODY TO ENACT ORDINANCES FOR THE ENFORCEMENT OF
6 COUNTY PARK BOARD RULES; TO ALLOW THE COUNTY GOVERNING BODY
7 TO AUTHORIZE A COUNTY PARK BOARD TO EMPLOY A COUNTY PARK
8 WARDEN; TO PROVIDE THAT SUCH A WARDEN MAY BE A PEACE
9 OFFICER; AMENDING SECTION 7-16-2322, MCA."

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

12 Section 1. Section 7-16-2322, MCA, is amended to read:

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14 (i) (a) A county park board, in addition to powers and
15 duties now given under law, ~~shall have~~ has the following
16 powers and duties:

17 ~~(a)(i)~~ (i) to make ~~all~~ rules necessary or convenient to
18 protect and promote the improvement of land and facilities
19 under the care and control of said board and for the
20 protection of birds and animals inhabiting or frequenting
21 land and facilities in parks and public places;

22 ~~(b)(ii)~~ (ii) to make ~~all~~ rules for the use of land and
23 facilities by the public; and

24 ~~(c)(iii)~~ (iii) to provide penalties for the violation of such
25 rules.

1 ~~(2)(b)~~ The rules authorized by ~~this--section--shall~~
2 ~~subsection (1)~~ have the force of resolutions of the county
3 commissioners.

4 (2) The county governing body, by the adoption of an
5 ordinance in substantial compliance with the provisions of
6 7-5-103 through 7-5-107, may:

7 (a) provide that violations of specific rules adopted
8 pursuant to subsection (1) constitute criminal offenses and
9 are punishable as provided in 7-5-109; and

10 (b) authorize a county park board to employ a county
11 park warden to enforce park rules and ordinances. A county
12 park warden may be a peace officer, as defined in 46-1-201,
13 and if so designated, a county park warden is subject to the
14 qualifications and training provisions of 7-32-303."

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(b) authorize a county park board to employ a county park warden to enforce park rules and ordinances. A county park warden ~~may--be~~ IS NOT a peace officer, as defined in 46-1-2017. ~~and-if-so-designated, a--county--park--warden--is~~ subject--to--the--qualifications--and--training--provisions--of 7-32-303; THE LAW ENFORCEMENT POWERS OF A PARK WARDEN ARE LIMITED TO ISSUING CITATIONS CHARGING VIOLATIONS OF PARK ORDINANCES AND RULES."

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-End-