

**MONTANA Public Safety Officer Standards and Training Council**  
**Committee Meeting Agenda ~ August 8, 2022**  
**Marijuana Committee Meeting 1:00 p.m. ~ 1:30 p.m.**  
**Conference Call**  
**Helena, Montana**

**Dial-in Participant Information**

Dial-in number: (866) 576-7975

Access code: 612394

- I. 1:00 p.m.** ~ Call meeting to order, roll call, identify and welcome guests.
- II. 1:05 p.m.** ~ Public Comment
- III. 1:10 p.m.** ~ Marijuana ARM Discussion
- IV. 1:30 p.m.** ~ Adjourn

\* Executive Sessions are closed to the public in order to protect the privacy rights of individuals.

Times are approximate; actual times may vary depending on presentation/discussion time.

## Option 1

### 23.13.702 Grounds for Sanction, Suspension, or Revocation of POST Certification

(1) The executive director or the council will consider any legitimate allegation made against any public safety officer that may result in the denial, sanction, revocation, or suspension of that officer's certification.

(2) The public safety officer's employing authority must report to the executive director any substantiated grounds for denial, sanction, suspension, or revocation of POST certification as enumerated in (3). If review of an officer's conduct is pending before any court, council, tribunal, or agency, the employing authority may wait for a final adjudication before reporting the officer's conduct to the executive director. If the officer's conduct results in termination of the officer's employment, the notice requirements of 7-32-303, MCA, and ARM 23.13.216 apply.

(3) The grounds for denial, sanction, suspension, or revocation of the certification of public safety officers are as follows:

...

(d) unauthorized use of or being under the influence of alcoholic beverages or marijuana while on duty, or the use of alcoholic beverages or marijuana in a manner which tends to discredit the officer, the officer's employing authority, or the profession;

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## Option 2

(1) The executive director or the council will consider any legitimate allegation made against any public safety officer that may result in the denial, sanction, revocation, or suspension of that officer's certification.

(2) The public safety officer's employing authority must report to the executive director any substantiated grounds for denial, sanction, suspension, or revocation of POST certification as enumerated in (3). If review of an officer's conduct is pending before any court, council, tribunal, or agency, the employing authority may wait for a final adjudication before reporting the officer's conduct to the executive director. If the officer's conduct results in termination of the officer's employment, the notice requirements of 7-32-303, MCA, and ARM 23.13.216 apply.

(3) The grounds for denial, sanction, suspension, or revocation of the certification of public safety officers are as follows:

...

(d) unauthorized use of or being under the influence of an intoxicating substance, including alcoholic beverages or marijuana, while on duty, or the use of an intoxicating substance, including alcoholic beverages or marijuana, in a manner which tends to discredit the officer, the officer's employing authority, or the profession;

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## Option 3

### 23.13.702 Grounds for Sanction, Suspension, or Revocation of POST Certification

(1) The executive director or the council will consider any legitimate allegation made against any public safety officer that may result in the denial, sanction, revocation, or suspension of that officer's certification.

(2) The public safety officer's employing authority must report to the executive director any substantiated grounds for denial, sanction, suspension, or revocation of POST certification as enumerated in (3). If review of an officer's conduct is pending before any court, council, tribunal, or agency, the employing authority may wait for a final adjudication before reporting the officer's conduct to the executive director. If the officer's conduct results in termination of the officer's employment, the notice requirements of 7-32-303, MCA, and ARM 23.13.216 apply.

(3) The grounds for denial, sanction, suspension, or revocation of the certification of public safety officers are as follows:

...

(o) unauthorized use of or being under the influence of marijuana while on duty, or the use of marijuana in a manner which tends to discredit the officer, the officer's employing authority, or the profession;