

1 HOUSE BILL NO. 64

2 INTRODUCED BY W. STAHL

3 BY REQUEST OF THE LEGISLATIVE AUDIT COMMITTEE

4
5 A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING THE DEPARTMENT OF ADMINISTRATION TO ADOPT
6 RULES FOR LOANING EMPLOYEES BETWEEN AGENCIES; AND AMENDING SECTION 2-18-102, MCA."7
8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:9
10 **Section 1.** Section 2-18-102, MCA, is amended to read:11 **"2-18-102. Personnel administration -- general policy setting -- rulemaking authority.** (1) Except
12 as otherwise provided by law or collective bargaining agreement, the department shall:13 (a) encourage and exercise leadership in the development of effective personnel administration within
14 the several agencies in the state and make available the facilities of the department to this end;15 (b) foster and develop programs for recruitment and selection of capable persons for employment and
16 for the improvement of employee effectiveness, including training, ethical conduct, safety, health, counseling,
17 welfare, discipline, grievances, and evaluation for productivity and retention in permanent status;

18 (c) foster, develop, and promote job sharing in agencies;

19 (d) investigate from time to time the operation and effect of parts 1 and 2 of this chapter and the policies
20 made under those parts and report the findings and recommendations to the governor;21 (e) establish policies, procedures, and forms for the maintenance of records of all employees in the state
22 service;23 ~~(f) adopt administrative rules regarding the loaning of employees between agencies and assigning~~
24 ~~responsibility for salary and benefits;~~25 ~~(f)(g)(F)~~ apply and carry out parts 1 and 2 and the policies under those parts and perform any other lawful
26 acts that may be necessary or desirable to carry out the purposes and provisions of parts 1 and 2.27 (2) THE DEPARTMENT SHALL ADOPT ADMINISTRATIVE RULES REGARDING THE LOANING OF EMPLOYEES BETWEEN
28 AGENCIES AND ASSIGNING RESPONSIBILITY FOR SALARY AND BENEFITS. THE RULES MAY NOT ALLOW AGENCIES TO LOAN
29 EMPLOYEES IN EXCESS OF 3 MONTHS EXCEPT FOR EMPLOYEES LOANED FOR FIRES OR OTHER DECLARED EMERGENCIES
30 AND EMPLOYEES TEMPORARILY ASSIGNED UNDER THE RETURN-TO-WORK PROGRAM ADMINISTERED BY THE DEPARTMENT.

