

SENATE BILL NO. 25

INTRODUCED BY JERGESON

BY REQUEST OF THE DEPARTMENT OF ADMINISTRATION

A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING STATE PERSONNEL LAWS BY CLARIFYING THE AUTHORITY OF THE DEPARTMENT OF ADMINISTRATION TO ADOPT RULES TO IMPLEMENT THE LAWS AND BY SUBSTITUTING AN INTERNAL SERVICES FUND ACCOUNT FOR A STATE SPECIAL REVENUE FUND ACCOUNT AS THE ACCOUNT INTO WHICH FUNDS FROM CHARGES TO STATE AGENCIES FOR ADMINISTRATION OF THE STATE CENTRAL PAYROLL SYSTEM ARE DEPOSITED; AMENDING SECTIONS 2-18-102 AND 2-18-403, MCA; AND PROVIDING AN EFFECTIVE DATE."

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

Section 1. Section 2-18-102, MCA, is amended to read:

"2-18-102. Personnel administration -- general policy setting. (1) Except as otherwise provided by law or collective bargaining agreement, the department shall:

(a) encourage and exercise leadership in the development of effective personnel administration within the several agencies in the state and make available the facilities of the department to this end;

(b) foster and develop programs for recruitment and selection of capable persons for permanent, seasonal, temporary, and other types of positions and for the improvement of employee effectiveness, including training, safety, health, counseling, welfare, discipline, grievances, and evaluation for productivity and retention in permanent status;

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

(d) investigate from time to time the operation and effect of parts 1 and 2 of this chapter and the policies made ~~thereunder~~ under those parts and report the findings and recommendations to the governor;

(e) establish policies, procedures, and forms for the maintenance of records of all employees in the state service;

(f) apply and carry out parts 1 and 2 and the policies ~~thereunder~~ under those parts and perform any other lawful acts ~~which~~ that may be necessary or desirable to carry out the purposes and provisions of parts 1 and 2.

1           (2) The department may delegate authority granted to it under parts 1 and 2 to agencies in the  
2 state service that effectively demonstrate the ability to carry out the provisions of parts 1 and 2, provided  
3 that ~~such~~ the agencies remain in compliance with policies, procedures, timetables, and standards  
4 established by the department.

5           (3) The department shall develop and issue personnel policies for the state and shall adopt rules  
6 to implement this chapter. Adequate public notice ~~shall~~ must be given to all interested parties of proposed  
7 changes or additions to the personnel policies before the date on which they are to take effect. If requested  
8 by any of the affected parties, the department shall schedule a public hearing on proposed changes or  
9 additions to the personnel policies before the date on which they are to take effect."

10

11           **Section 2.** Section 2-18-403, MCA, is amended to read:

12           "**2-18-403. Service charges.** The department of administration may provide for a system of charges  
13 for services rendered by the state central payroll system to any department or agency of the state. Funds  
14 collected under this section must be deposited to the credit of ~~a state special revenue~~ an internal services  
15 fund account and expended for the purpose of paying the expenses incurred by the state central payroll  
16 system."

17

18           NEW SECTION. **Section 3. Effective date.** [This act] is effective July 1, 1995.

19

-END-

APPROVED BY COMMITTEE  
ON STATE ADMINISTRATION

1 SENATE BILL NO. 25

2 INTRODUCED BY JERGESON

3 BY REQUEST OF THE DEPARTMENT OF ADMINISTRATION

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5 A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING STATE PERSONNEL LAWS BY CLARIFYING THE  
6 AUTHORITY OF THE DEPARTMENT OF ADMINISTRATION TO ADOPT RULES TO IMPLEMENT THE LAWS  
7 AND BY SUBSTITUTING AN INTERNAL SERVICES FUND ACCOUNT FOR A STATE SPECIAL REVENUE  
8 FUND ACCOUNT AS THE ACCOUNT INTO WHICH FUNDS FROM CHARGES TO STATE AGENCIES FOR  
9 ADMINISTRATION OF THE STATE CENTRAL PAYROLL SYSTEM ARE DEPOSITED; AMENDING SECTIONS  
10 2-18-102, 2-18-401, AND 2-18-403, MCA; AND PROVIDING AN EFFECTIVE DATE."

11  
12 STATEMENT OF INTENT

13  
14 A STATEMENT OF INTENT IS REQUIRED FOR THIS BILL BECAUSE 2-18-102 REQUIRES THE  
15 DEPARTMENT OF ADMINISTRATION TO ADOPT ADMINISTRATIVE RULES CONTAINING PERSONNEL  
16 POLICIES AND 2-18-401 AUTHORIZES THE DEPARTMENT TO ADOPT RULES REGARDING THE  
17 OPERATION OF THE STATE CENTRAL PAYROLL SYSTEM.

18 THE LEGISLATURE INTENDS THAT RULES CONTAINING PERSONNEL POLICIES SHOULD ADDRESS  
19 EMPLOYEE RECORDS, PERFORMANCE APPRAISALS, GRIEVANCES, DISCIPLINE, REDUCTIONS IN FORCE,  
20 RECRUITMENT, SELECTION, AND TRAINING.

21 THE LEGISLATURE INTENDS THAT RULES CONCERNING PAYROLL DEDUCTIONS SHOULD  
22 ADDRESS THE PAYROLL DEDUCTION PROCESS AND SHOULD SET CRITERIA FOR THE KINDS OF  
23 PAYMENTS THAT CAN BE MADE THROUGH PAYROLL DEDUCTIONS. EXAMPLES OF TYPES OF  
24 PAYROLL DEDUCTIONS THAT SHOULD BE ADDRESSED BY THE RULES ARE PAYMENT OF INSURANCE  
25 PREMIUMS, BANK AND CREDIT UNION PAYMENTS, CHARITABLE CONTRIBUTIONS, AND WAGE  
26 GARNISHMENTS.

27  
28 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

29  
30 **Section 1.** Section 2-18-102, MCA, is amended to read:

1           **"2-18-102. Personnel administration -- general policy setting.** (1) Except as otherwise provided by  
2 law or collective bargaining agreement, the department shall:

3           (a) encourage and exercise leadership in the development of effective personnel administration  
4 within the several agencies in the state and make available the facilities of the department to this end;

5           (b) foster and develop programs for recruitment and selection of capable persons for permanent,  
6 seasonal, temporary, and other types of positions and for the improvement of employee effectiveness,  
7 including training, safety, health, counseling, welfare, discipline, grievances, and evaluation for productivity  
8 and retention in permanent status;

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

10          (d) investigate from time to time the operation and effect of parts 1 and 2 of this chapter and the  
11 policies made ~~thereunder~~ under those parts and report the findings and recommendations to the governor;

12          (e) establish policies, procedures, and forms for the maintenance of records of all employees in the  
13 state service;

14          (f) apply and carry out parts 1 and 2 and the policies ~~thereunder~~ under those parts and perform  
15 any other lawful acts ~~which~~ that may be necessary or desirable to carry out the purposes and provisions  
16 of parts 1 and 2.

17          (2) The department may delegate authority granted to it under parts 1 and 2 to agencies in the  
18 state service that effectively demonstrate the ability to carry out the provisions of parts 1 and 2, provided  
19 that ~~such~~ the agencies remain in compliance with policies, procedures, timetables, and standards  
20 established by the department.

21          (3) The department shall develop and issue personnel policies for the state and shall adopt rules  
22 to implement this chapter PART, EXCEPT 2-18-111. Adequate public notice ~~shall~~ must be given to all  
23 interested parties of proposed changes or additions to the personnel policies before the date on which they  
24 are to take effect. If requested by any of the affected parties, the department shall schedule a public  
25 hearing on proposed changes or additions to the personnel policies before the date on which they are to  
26 take effect."

27  
28           **SECTION 2. SECTION 2-18-401, MCA, IS AMENDED TO READ:**

29           **"2-18-401. Central payroll system -- department to provide for inclusion of agencies.** The  
30 department of administration shall install and operate a uniform state central payroll system for all state

1 agencies, including units of the Montana university system and the vocational-technical centers. The  
2 department may provide for the orderly inclusion of state agencies into the system and may make  
3 exceptions from the operation of the system for periods it determines necessary. The department shall  
4 adopt rules to implement the state central payroll system."

5

6 **Section 3.** Section 2-18-403, MCA, is amended to read:

7 **"2-18-403. Service charges.** The department of administration may provide for a system of charges  
8 for services rendered by the state central payroll system to any department or agency of the state. Funds  
9 collected under this section must be deposited to the credit of ~~a state special revenue~~ an internal services  
10 fund account and expended for the purpose of paying the expenses incurred by the state central payroll  
11 system."

12

13 **NEW SECTION. Section 4. Effective date.** [This act] is effective July 1, 1995.

14

-END-

## 1 SENATE BILL NO. 25

2 INTRODUCED BY JERGESON

3 BY REQUEST OF THE DEPARTMENT OF ADMINISTRATION

4  
5 A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING STATE PERSONNEL LAWS BY CLARIFYING THE  
6 AUTHORITY OF THE DEPARTMENT OF ADMINISTRATION TO ADOPT RULES TO IMPLEMENT THE LAWS  
7 AND BY SUBSTITUTING AN INTERNAL SERVICES FUND ACCOUNT FOR A STATE SPECIAL REVENUE  
8 FUND ACCOUNT AS THE ACCOUNT INTO WHICH FUNDS FROM CHARGES TO STATE AGENCIES FOR  
9 ADMINISTRATION OF THE STATE CENTRAL PAYROLL SYSTEM ARE DEPOSITED; AMENDING SECTIONS  
10 2-18-102, 2-18-401, AND 2-18-403, MCA; AND PROVIDING AN EFFECTIVE DATE."

11  
12 STATEMENT OF INTENT

13  
14 A STATEMENT OF INTENT IS REQUIRED FOR THIS BILL BECAUSE 2-18-102 REQUIRES THE  
15 DEPARTMENT OF ADMINISTRATION TO ADOPT ADMINISTRATIVE RULES CONTAINING PERSONNEL  
16 POLICIES AND 2-18-401 AUTHORIZES THE DEPARTMENT TO ADOPT RULES REGARDING THE  
17 OPERATION OF THE STATE CENTRAL PAYROLL SYSTEM.

18 THE LEGISLATURE INTENDS THAT RULES CONTAINING PERSONNEL POLICIES SHOULD ADDRESS  
19 EMPLOYEE RECORDS, PERFORMANCE APPRAISALS, GRIEVANCES, DISCIPLINE, REDUCTIONS IN FORCE,  
20 RECRUITMENT, SELECTION, AND TRAINING.

21 THE LEGISLATURE INTENDS THAT RULES CONCERNING PAYROLL DEDUCTIONS SHOULD  
22 ADDRESS THE PAYROLL DEDUCTION PROCESS AND SHOULD SET CRITERIA FOR THE KINDS OF  
23 PAYMENTS THAT CAN BE MADE THROUGH PAYROLL DEDUCTIONS. EXAMPLES OF TYPES OF  
24 PAYROLL DEDUCTIONS THAT SHOULD BE ADDRESSED BY THE RULES ARE PAYMENT OF INSURANCE  
25 PREMIUMS, BANK AND CREDIT UNION PAYMENTS, CHARITABLE CONTRIBUTIONS, AND WAGE  
26 GARNISHMENTS.

27  
28 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

29  
30 Section 1. Section 2-18-102, MCA, is amended to read:

1           **"2-18-102. Personnel administration -- general policy setting.** (1) Except as otherwise provided by  
2 law or collective bargaining agreement, the department shall:

3           (a) encourage and exercise leadership in the development of effective personnel administration  
4 within the several agencies in the state and make available the facilities of the department to this end;

5           (b) foster and develop programs for recruitment and selection of capable persons for permanent,  
6 seasonal, temporary, and other types of positions and for the improvement of employee effectiveness,  
7 including training, safety, health, counseling, welfare, discipline, grievances, and evaluation for productivity  
8 and retention in permanent status;

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

10          (d) investigate from time to time the operation and effect of parts 1 and 2 of this chapter and the  
11 policies made ~~thereunder~~ under those parts and report the findings and recommendations to the governor;

12          (e) establish policies, procedures, and forms for the maintenance of records of all employees in the  
13 state service;

14          (f) apply and carry out parts 1 and 2 and the policies ~~thereunder~~ under those parts and perform  
15 any other lawful acts ~~which that~~ may be necessary or desirable to carry out the purposes and provisions  
16 of parts 1 and 2.

17          (2) The department may delegate authority granted to it under parts 1 and 2 to agencies in the  
18 state service that effectively demonstrate the ability to carry out the provisions of parts 1 and 2, provided  
19 that ~~such~~ the agencies remain in compliance with policies, procedures, timetables, and standards  
20 established by the department.

21          (3) The department shall develop and issue personnel policies for the state and shall adopt rules  
22 to implement this chapter PART, EXCEPT 2-18-111. Adequate public notice ~~shall~~ must be given to all  
23 interested parties of proposed changes or additions to the personnel policies before the date on which they  
24 are to take effect. If requested by any of the affected parties, the department shall schedule a public  
25 hearing on proposed changes or additions to the personnel policies before the date on which they are to  
26 take effect."  
27

28           **SECTION 2. SECTION 2-18-401, MCA, IS AMENDED TO READ:**

29           **"2-18-401. Central payroll system -- department to provide for inclusion of agencies.** The  
30 department of administration shall install and operate a uniform state central payroll system for all state

1 agencies, including units of the Montana university system and the vocational-technical centers. The  
2 department may provide for the orderly inclusion of state agencies into the system and may make  
3 exceptions from the operation of the system for periods it determines necessary. The department shall  
4 adopt rules to implement the state central payroll system."

5

6 **Section 3.** Section 2-18-403, MCA, is amended to read:

7 **"2-18-403. Service charges.** The department of administration may provide for a system of charges  
8 for services rendered by the state central payroll system to any department or agency of the state. Funds  
9 collected under this section must be deposited to the credit of ~~a state special revenue~~ an internal services  
10 fund account and expended for the purpose of paying the expenses incurred by the state central payroll  
11 system."

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13 **NEW SECTION. Section 4. Effective date.** [This act] is effective July 1, 1995.

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-END-



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A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING STATE PERSONNEL LAWS BY CLARIFYING THE AUTHORITY OF THE DEPARTMENT OF ADMINISTRATION TO ADOPT RULES TO IMPLEMENT THE LAWS AND BY SUBSTITUTING AN INTERNAL SERVICES FUND ACCOUNT FOR A STATE SPECIAL REVENUE FUND ACCOUNT AS THE ACCOUNT INTO WHICH FUNDS FROM CHARGES TO STATE AGENCIES FOR ADMINISTRATION OF THE STATE CENTRAL PAYROLL SYSTEM ARE DEPOSITED; AMENDING SECTIONS 2-18-102, 2-18-401, AND 2-18-403, MCA; AND PROVIDING AN EFFECTIVE DATE."

STATEMENT OF INTENT

A STATEMENT OF INTENT IS REQUIRED FOR THIS BILL BECAUSE 2-18-102 REQUIRES THE DEPARTMENT OF ADMINISTRATION TO ADOPT ADMINISTRATIVE RULES CONTAINING PERSONNEL POLICIES AND 2-18-401 AUTHORIZES THE DEPARTMENT TO ADOPT RULES REGARDING THE OPERATION OF THE STATE CENTRAL PAYROLL SYSTEM.

THE LEGISLATURE INTENDS THAT RULES CONTAINING PERSONNEL POLICIES SHOULD ADDRESS EMPLOYEE RECORDS, PERFORMANCE APPRAISALS, GRIEVANCES, DISCIPLINE, REDUCTIONS IN FORCE, RECRUITMENT, SELECTION, AND TRAINING.

THE LEGISLATURE INTENDS THAT RULES CONCERNING PAYROLL DEDUCTIONS SHOULD ADDRESS THE PAYROLL DEDUCTION PROCESS AND SHOULD SET CRITERIA FOR THE KINDS OF PAYMENTS THAT CAN BE MADE THROUGH PAYROLL DEDUCTIONS. EXAMPLES OF TYPES OF PAYROLL DEDUCTIONS THAT SHOULD BE ADDRESSED BY THE RULES ARE PAYMENT OF INSURANCE PREMIUMS, BANK AND CREDIT UNION PAYMENTS, CHARITABLE CONTRIBUTIONS, AND WAGE GARNISHMENTS.

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

Section 1. Section 2-18-102, MCA, is amended to read:



1           **"2-18-102. Personnel administration -- general policy setting.** (1) Except as otherwise provided by  
2 law or collective bargaining agreement, the department shall:

3           (a) encourage and exercise leadership in the development of effective personnel administration  
4 within the several agencies in the state and make available the facilities of the department to this end;

5           (b) foster and develop programs for recruitment and selection of capable persons for permanent,  
6 seasonal, temporary, and other types of positions and for the improvement of employee effectiveness,  
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11 policies made ~~thereunder~~ under those parts and report the findings and recommendations to the governor;

12           (e) establish policies, procedures, and forms for the maintenance of records of all employees in the  
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15 any other lawful acts ~~which~~ that may be necessary or desirable to carry out the purposes and provisions  
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17           (2) The department may delegate authority granted to it under parts 1 and 2 to agencies in the  
18 state service that effectively demonstrate the ability to carry out the provisions of parts 1 and 2, provided  
19 that ~~such~~ the agencies remain in compliance with policies, procedures, timetables, and standards  
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21           (3) The department shall develop and issue personnel policies for the state and shall adopt rules  
22 to implement this ~~chapter~~ PART, EXCEPT 2-18-111. Adequate public notice ~~shall~~ must be given to all  
23 interested parties of proposed changes or additions to the personnel policies before the date on which they  
24 are to take effect. If requested by any of the affected parties, the department shall schedule a public  
25 hearing on proposed changes or additions to the personnel policies before the date on which they are to  
26 take effect."  
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28           **SECTION 2. SECTION 2-18-401, MCA, IS AMENDED TO READ:**

29           **"2-18-401. Central payroll system -- department to provide for inclusion of agencies.** The  
30 department of administration shall install and operate a uniform state central payroll system for all state

1 agencies, including units of the Montana university system and the vocational-technical centers. The  
2 department may provide for the orderly inclusion of state agencies into the system and may make  
3 exceptions from the operation of the system for periods it determines necessary. The department shall  
4 adopt rules to implement the state central payroll system."

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6 **Section 3.** Section 2-18-403, MCA, is amended to read:

7 **"2-18-403. Service charges.** The department of administration may provide for a system of charges  
8 for services rendered by the state central payroll system to any department or agency of the state. Funds  
9 collected under this section must be deposited to the credit of ~~a state special revenue~~ an internal services  
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