

TITLE 67
STATE GOVERNMENT AND STATE AFFAIRS

CHAPTER 25
CIVIL STATE DEPARTMENTS -- CONDUCT

67-2501. ADMINISTRATIVE RULES PRESCRIBED BY DIRECTOR. The director of each department is empowered to prescribe regulations, not inconsistent with law, for the government of his department, the conduct of its employees and clerks, the distribution and performance of its business and the custody, use and preservation of the records, papers, books, documents, and property pertaining thereto.

[(67-2501) 1919, ch. 8, sec. 13, p. 43; C.S., sec. 263; I.C.A., sec. 65-2401; am. 1974, ch. 40, sec. 7, p. 1072.]

67-2502. OFFICES -- BRANCH OFFICES. Each department shall maintain a central office in Ada county. The director of each department may in his discretion and with the approval of the governor, establish and maintain, at other places, branch offices for the conduct of any one (1) or more functions of his department.

No department or unit of a department may share office space, facilities, equipment or personnel with any private group or association except upon written approval of the governor.

[(67-2502) 1919, ch. 8, sec. 14, p. 43; C.S., sec. 264; I.C.A., sec. 65-2402; am. 1974, ch. 40, sec. 8, p. 1072; am. 2001, ch. 183, sec. 34, p. 639.]

67-2503. SEAL. Each department shall adopt and keep an official seal.

[(67-2503) 1919, ch. 8, sec. 15, p. 43; C.S., sec. 265; I.C.A., sec. 65-2403.]

67-2504. EMPLOYEES. Subject to the provisions of [chapter 53, title 67](#), Idaho Code, unless otherwise provided for by law, each department is empowered to employ necessary employees, and, if the rate of compensation is not otherwise fixed by law, to fix their compensation.

[(67-2504) 1919, ch. 8, sec. 16, p. 43; C.S., sec. 266; I.C.A., sec. 65-2404; am. 1974, ch. 40, sec. 9, p. 1072.]

67-2508. COMPENSATION FOR PUBLIC SERVICE. No employee in the several departments, employed at a fixed compensation, shall be paid for any extra service performed by such employee in the ordinary course of his employment, unless expressly authorized by law.

Whenever the public interest may be served thereby, an employee of any department, with the written approval of the employing department, may be permitted to accept additional employment by the same, or another department, in any educational program conducted under the supervision of the state board of education or the board of regents of the University of Idaho, when such additional employment is not in the ordinary course of the employment of such employee and will be performed in addition to, and beyond, the hours of service required in the ordinary course of employment.

The written approval of the employing department shall be filed with the secretary of the state board of examiners together with a statement that such additional employment is not in the course of the employee's employment, and will be performed in addition to the statutory hours of employment.

[67-2508, added I.C., sec. 67-2508, as added by 1970, ch. 77, sec. 1, p. 193.]

67-2510. COOPERATION OF DEPARTMENTS. The governor shall devise a practical and working basis for cooperation and coordination of work, eliminating duplication and overlapping of functions. All departments shall, so far as practicable, cooperate with each other in the employment of services and the use of quarters and equipment. The director of any department may empower or require an employee of another department, subject to the consent of the superior officer of the employee, to perform any duty which he might require of his own subordinates.

Whenever in this act power is vested in a department to inspect, examine, secure data or information, or to procure assistance from another department, a duty is hereby imposed upon the department upon which demand is made, to make such power effective.

[(67-2510) 1919, ch. 8, sec. 22, p. 43; C.S., sec. 272; I.C.A., sec. 65-2410; am. 1974, ch. 40, sec. 11, p. 1072.]

67-2511. GROSS RECEIPTS PAYABLE INTO TREASURY -- APPROPRIATION AND WARRANT OF CONTROLLER PREREQUISITES TO EXPENDITURE OF STATE FUNDS. The gross amount of money received by every department, from whatever source, belonging to or for the use of the state, shall be paid into the state treasury, without delay without any deduction on account of salaries, fees, costs, charges, expenses or claim of any description whatever and shall be credited to such fund or funds as are now or may hereafter be designated by law for the deposit thereof. No money belonging to, or for the use of, the state shall be expended or applied by any department except in consequence of an appropriation made by law and upon the warrant of the state controller.

[(67-2511) 1919, ch. 8, sec. 23, p. 43; C.S., sec. 273; I.C.A., sec. 65-2411; am. 1994, ch. 180, sec. 197, p. 545.]

67-2513. DEPARTMENTS SUCCESSORS TO ABOLISHED OFFICES. Whenever rights, powers and duties, which have heretofore been vested in or exercised by any officer, board, commission, institution or department, or any deputy, inspector or subordinate officer thereof, are, by this act, transferred, either in whole or in part, to or vested in a department created by this act, such rights, powers and duties shall be vested in, and shall be exercised by, the department to which the same are hereby transferred, and not otherwise, and every act done in the exercise of such rights, powers and duties shall have the same legal effect as if done by the former officer, board, commission, institution or department, or any deputy, inspector or subordinate officer thereof. Every person shall be subject to the same obligations and duties and shall have the same rights arising from the exercise of such rights, powers and duties as if such rights, powers and duties were exercised by the officer, board, commission, department or institution, or deputy, inspector or subordinate thereof, designated in the respective laws which are to be administered by departments created by this act. Every person

shall be subject to the same penalty or penalties, civil or criminal, for failure to perform any such obligation or duty, or for doing a prohibited act, as if such obligation or duty arose from, or such act were prohibited in, the exercise of such right, power or duty by the officer, board, commission, or institution, or deputy, inspector or subordinate thereof, designated in the respective laws which are to be administered by departments created by this chapter. Every officer and employee shall, for any offense, be subject to the same penalty or penalties, civil or criminal, as are prescribed by existing law for the same offense by any officer or employee whose powers or duties devolved upon him under this act. All books, records, papers, documents, property, real and personal, unexpended appropriations, and pending business in any way pertaining to the rights, powers and duties so transferred to or vested in a department created by this act, shall be delivered and transferred to the department succeeding to such rights, powers and duties.

Whenever reports or notices are now required to be made or given, or papers or documents furnished or served by any person to or upon any officer, board, commission, or institution, or deputy, inspector or subordinate thereof, abolished by this act, the same shall be made, given, furnished, or served in the same manner to or upon the department upon which are devolved by this act the rights, powers and duties now exercised or discharged by such officer, board, commission or institution, or deputy, inspector or subordinate thereof; and every penalty for failure so to do shall continue in effect.

This act shall not affect any act done, ratified or confirmed, or any right accrued or established, or any action or proceeding had or commenced in a civil or criminal cause before this act takes effect; but such actions or proceedings may be prosecuted and continued by the department having jurisdiction, under this act, of the subject-matter to which such litigation or proceeding pertains.

[(67-2513) 1919, ch. 8, sec. 25, p. 43; C.S., sec. 275; I.C.A., sec. 65-2413.]