

TITLE 59
PUBLIC OFFICERS IN GENERAL

CHAPTER 3
NOMINATIONS AND COMMISSIONS

59-301. NOMINATIONS TO BE IN WRITING. Nominations made by the governor to the senate must be in writing, designating the residence of the nominee and the office for which he is nominated.

[(59-301) R.S., sec. 335; am. R.C., sec. 262; reen. C.L., sec. 262; C.S., sec. 393; I.C.A., sec. 57-301.]

59-302. RESOLUTION OF CONCURRENCE. Whenever the senate concurs in a nomination, its secretary must immediately deliver a copy of the resolution of concurrence, certified by the president and secretary, to the governor.

[(59-302) R.S., sec. 336; am. R.C., sec. 263; reen. C.L., sec. 263; C.S., sec. 394; I.C.A., sec. 57-302.]

59-303. COMMISSIONS BY GOVERNOR. The governor must commission:

1. All officers of the militia.
2. All officers appointed by the governor, or by the governor with the advice and consent of the senate.

[(59-303) R.S., sec. 337; am. R.C., sec. 264; reen. C.L., sec. 264; C.S., sec. 395; I.C.A., sec. 57-303.]

59-304. FORM OF COMMISSION. The commissions of all officers commissioned by the governor must be issued in the name of the people of this state, and must be signed by the governor and attested by the secretary of state, under the great seal.

[(59-304) R.S., sec. 338; am. R.C., sec. 265; reen. C.L., sec. 265; C.S., sec. 396; I.C.A., sec. 57-304.]

59-305. OTHER COMMISSIONS. The commissions of all officers, where no special provision is made by law, must be signed by the presiding officer of the body, or by the person making the appointment.

[(59-305) R.S., sec. 339; reen. R.C. & C.L., sec. 266; C.S., sec. 397; I.C.A., sec. 57-305.]

59-306. APPOINTMENT OF EMPLOYEES. The appointment of every deputy, clerk or other employee of the state of Idaho, including contract employees, whose salary or other compensation is payable out of any appropriation or allotment specifically provided for such payment, except temporary manual labor, per diem or hourly help used irregularly at state institutions, and expert and special help such as doctors, dentists and others who render service in emergency cases, shall be made on forms prescribed by the division of budget, policy planning and coordination by the appointing officer, board, commission or other designated authority. Such appointment form shall set forth the name, address, employee identification information and official position of such deputy, clerk or other employee, and where the rate of

compensation is not fixed by general statute, the same shall be specified in such form within the limitations fixed by appropriation acts or allotments. Upon making any change in the personnel of any office, department, bureau or institution, or in the rate of compensation thereof, the appointing power shall forthwith certify such change in the same manner as an appointment.

[(59-306) C.S., sec. 398-A, as added by 1921, ch. 193, sec. 2, p. 394; am. 1929, ch. 82, sec. 1, p. 133; I.C.A., sec. 57-306; am. 1977, ch. 307, sec. 1, p. 857.]

59-307. CERTIFICATE TO BE FILED BEFORE SALARY PAID -- DUTY OF STATE CONTROLLER. From and after the first day of June, 1921, the state controller shall not certify any claim nor issue any warrant, for the payment of any salary, wages, per diem or other compensation of any officer, clerk or other state employee, not elected by popular vote, against any appropriation specifically provided for the payment of such compensation, unless the certificate prescribed by section [59-306](#), Idaho Code, shall previously have been filed in his office, and the state controller shall be liable upon his official bond for the payment of such compensation in excess of the rate prescribed by law or legally fixed by such certificate of appointment.

[(59-307) C.S., sec. 398b, as added by 1921, ch. 193, sec. 3, p. 394; I.C.A., sec. 57-307; am. 1994, ch. 180, sec. 127, p. 504.]