

Introduced by

1 A BILL for an Act to create and enact section 54-16-04.3 of the North Dakota Century Code,  
2 relating to powers and duties of the emergency commission; to amend and reenact section  
3 54-16-03.1 of the North Dakota Century Code, relating to emergency commission requests; to  
4 provide an effective date; and to declare an emergency.

5 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

6 **SECTION 1. AMENDMENT.** Section 54-16-03.1 of the North Dakota Century Code is  
7 amended and reenacted as follows:

8 **54-16-03.1. Submission of petition to emergency commission.** When an  
9 emergency exists, a state officer may present to the emergency commission an itemized  
10 petition requesting approval to transfer money and spending authority between funds or line  
11 items pursuant to section 54-16-04; accept and expend federal funds pursuant to section  
12 54-16-04.1; accept and expend state contingency funds pursuant to section 54-16-09; or accept  
13 and expend other funds pursuant to section 54-16-04.2; authorize full-time equivalent positions  
14 pursuant to section 54-16-04.3.

15 **SECTION 2.** Section 54-16-04.3 of the North Dakota Century Code is created and  
16 enacted as follows:

17 **Commission may authorize full-time equivalent positions.** The emergency  
18 commission, upon the advice of the office of management and budget, with the approval of the  
19 budget section of the legislative council, may authorize a state officer to employ full-time  
20 equivalent positions in excess of those authorized by the legislative assembly. The authority to  
21 employ a full-time equivalent position under this section is effective only for the remainder of the  
22 biennium during which the authority is granted by the emergency commission.

23 **SECTION 3. EFFECTIVE DATE.** This Act becomes effective July 1, 2009.

24 **SECTION 4. EMERGENCY.** This Act is declared to be an emergency measure.