

**HOUSE BILL NO. 1027**

Introduced by

Legislative Council

(Budget and Finance Committee)

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 and budget section; to amend and  
3 reenact section 54-16-03.1 of the North Dakota Century Code, relating to emergency  
4 commission requests; to 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; or recommend full-time equivalent  
14 positions 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 recommend full-time equivalent positions - Budget section**  
18 **approval.** On the advice of the office of management and budget and upon the  
19 recommendation of the emergency commission, the budget section of the legislative council  
20 may authorize a state officer to employ full-time equivalent positions in addition to those  
21 authorized by the legislative assembly. The authority to employ a full-time equivalent position  
22 under this section is effective only for the remainder of the biennium during which the authority  
23 is granted by the budget section.

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

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