

February 18, 2025

Sixty-ninth
Legislative Assembly
of North Dakota

PROPOSED AMENDMENTS TO

HOUSE BILL NO. 1161

Introduced by

Representatives Murphy, Schreiber-Beck, Warrey

Senators Bekkedahl, Dever

1 A BILL for an Act to create and enact a new section to chapter 15-10 of the North Dakota
2 Century Code, relating to funding for ~~vacant~~newly created full-time equivalent positions at
3 institutions under the control of the state board of higher education.

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

5 **SECTION 1.** A new section to chapter 15-10 of the North Dakota Century Code is created
6 and enacted as follows:

7 ~~Vacant~~Newly created full-time equivalent position funding pool - Transfers of general
8 fund appropriation authority - Budget section report.

- 9 1. Notwithstanding any other provision of law, on July first of each odd-numbered year,
10 each institution under the control of the state board of higher education shall transfer
11 all ~~general fund~~ appropriation authority for the current biennium relating to the full-time
12 equivalent positions identified as ~~vacant~~ and newly created positions as of December
13 first of the most recent even-numbered year to ~~the office of management and budget~~
14 central fund at the institution.
- 15 2. ~~The office of management and budget~~Each institution shall maintain a portion of the
16 general fund appropriation authority in a ~~separate higher education vacant~~designated
17 position funding pool ~~line item designated for institutions under the control of the state~~
18 board of higher education as provided for in this section.
- 19 3. ~~An institution that transferred appropriation authority to the office of management and~~
20 budget under this section may submit a request to the office of management and

~~budget for an allocation of appropriation authority from the pool to provide funding for the salaries and wages necessary for the biennium for filling a full-time equivalent position that was vacant on December first of the most recent even-numbered year, from the date of hiring through the end of the biennium or for the funding needed for the hiring of a temporary employee as an alternative to filling the position.~~

~~4. The office of management and budget may transfer general fund appropriation authority from the higher education vacant position funding pool to an institution only upon the institution certifying to the office of management and budget that other funds from federal or other sources are not available for the salaries and wages of the full-time equivalent position.~~

~~5. An institution may not receive more funding from the pool than the amount that was transferred from the institution's appropriation for vacant full-time equivalent positions.~~

~~6. Notwithstanding any other provision of law, the office of management and budget shall transfer appropriation authority from the higher education vacant position funding pool to eligible institutions within fifteen days of receiving a request for filling a full-time equivalent position that was vacant on December first of the most recent even-numbered year or for a temporary position, along with documentation verifying that funding available for salaries and wages within the institution's budget is insufficient to provide funding for the position for the remainder of the biennium.~~

~~7. The~~Each institution shall report to the state board of higher education which shall report to each regular meeting of the budget section regarding salaries and wages, vacant position information, and operational use of funding, if applicable, in the pool including:

~~a. The number of institution requests submitted, amounts transferred from the pool, and information on vacant full-time equivalent positions, including dates the positions were vacated and filled,; and~~

~~b. Salaries and wages savings to date resulting from vacant positions by institution-~~
the operational use of funds.