

**Sixty-first Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 6, 2009**

HOUSE BILL NO. 1027
(Legislative Council)
(Budget and Finance Committee)

AN ACT to create and enact section 54-16-04.3 of the North Dakota Century Code, relating to powers and duties of the emergency commission and budget section; to amend and reenact section 54-16-03.1 of the North Dakota Century Code, relating to emergency commission requests; to provide an effective date; and to declare an emergency.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

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

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

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

Commission may recommend full-time equivalent positions - Budget section approval.
On the advice of the office of management and budget and upon the recommendation of the emergency commission, the budget section of the legislative council may authorize a state officer to employ full-time equivalent positions in addition to those authorized by the legislative assembly. The authority to employ a full-time equivalent position under this section is effective only for the remainder of the biennium during which the authority is granted by the budget section.

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

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

Speaker of the House

President of the Senate

Chief Clerk of the House

Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Sixty-first Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1027 and that two-thirds of the members-elect of the House of Representatives voted in favor of said law.

Vote: Yeas 90 Nays 0 Absent 4

Speaker of the House

Chief Clerk of the House

This certifies that two-thirds of the members-elect of the Senate voted in favor of said law.

Vote: Yeas 47 Nays 0 Absent 0

President of the Senate

Secretary of the Senate

Received by the Governor at _____ M. on _____, 2009.

Approved at _____ M. on _____, 2009.

Governor

Filed in this office this _____ day of _____, 2009,
at _____ o'clock _____ M.

Secretary of State