

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1001

That the Senate recede from its amendments as printed on page 984 of the House Journal and page 753 of the Senate Journal and that Engrossed House Bill No. 1001 be amended as follows:

Page 1, line 2, after the semicolon insert "to provide for budget section reports; to limit the number of full-time equivalent positions requested; to create and enact a new section to chapter 54-27 of the North Dakota Century Code, relating to vacant state employee positions;"

Page 2, after line 19, insert:

**"SECTION 5.** A new section to chapter 54-27 of the North Dakota Century Code is created and enacted as follows:

**Vacant state employee positions salary savings - Budget section reports - Budget section review and approval.** The head of each executive branch agency, department, and institution shall report each month to the office of management and budget the number of vacant full-time equivalent employee positions and related salary and fringe benefit savings. The office of management and budget shall report at each budget section meeting on the cumulative savings resulting from the vacant positions. Agencies, departments, and institutions reporting vacant positions under this section may spend funds available as a result of these vacant positions, subject to approval by the office of management and budget in an amount that does not exceed a cumulative amount of two million dollars for a biennium for payment of accrued annual leave and sick leave balances for eligible employees upon retirement or resignation, employee workload increases, employee reclassifications, and unanticipated overtime. The office of management and budget shall report periodically to the budget section on the amounts spent for each of these purposes by agency. Agencies, departments, and institutions may not spend any remaining savings from these vacant positions without prior approval of the office of management and budget and the budget section.

**SECTION 6. STATE EMPLOYEE ACCRUED LEAVE PAYMENTS - BUDGET SECTION REPORT.** The office of management and budget shall prepare and report to the budget section alternative methods of budgeting for the compensation of state employee accrued annual leave and sick leave. The information presented must include the number of employees compensated and the total amount paid by agency for the 2007-09 and 2005-07 bienniums. The office of management and budget shall present this report to the budget section at its first meeting after December 1, 2009. The budget section shall determine the method to be used for providing funding for these items in the preparation of the 2011-13 executive budget.

**SECTION 7. 2011-13 BIENNIUM BUDGET REQUESTS - RECOMMENDATION - FULL-TIME EQUIVALENT POSITIONS.** Notwithstanding any other provision of law, the office of management and budget, in preparation of the 2011-13 executive budget, shall limit the total number of full-time equivalent positions for executive branch agencies, departments, and institutions included in agency budget requests and the executive budget recommendation to the same level approved by the sixty-first legislative assembly in total for these entities, for the biennium beginning July 1, 2009, and ending June 30, 2011."

Renumber accordingly