

**HOUSE BILL NO. 1303**

Introduced by

Representatives Carlson, Delzer

Senators Holmberg, Wardner

1 A BILL for an Act to prohibit state agencies from filling vacant employee positions; to provide for  
2 a report; and to declare an emergency.

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

4 **SECTION 1. FILLING OF VACANT STATE EMPLOYEE POSITIONS PROHIBITED -**  
5 **EXCEPTIONS - REPORT.** ~~During~~Except as provided in this section, during the period beginning  
6 with the effective date of this Act and ending April 30, 2017, any full-time equivalent employee  
7 position under the control of a state agency or institution that is or becomes vacant must remain  
8 vacant and not be filled. The governor may, as an exception to this prohibition, authorize an  
9 executive branch state agency or institution to fill a vacant position that is essential to protecting  
10 the life and safety of the citizens of this state. The chief justice of the supreme court may, as an  
11 exception to this prohibition, authorize the filling of a vacant position in the judicial branch which  
12 is essential to protecting the life and safety of the citizens of this state. Any state agency or  
13 institution that receives an exception under this section shall provide a report to the legislative  
14 council within five days of receiving the exception identifying the position, the position's  
15 anticipated monthly salary and benefits costs by funding source, and the justification of the  
16 need to fill the position.

17 **SECTION 2. EMERGENCY.** This Act is declared to be an emergency measure.