

**§1583-A. Creation of positions**

Notwithstanding any other provision of law, limited-period, project or other temporary positions may be established by financial order for a period not to exceed 2 years. Temporary positions established by financial order may not be continued for more than 2 years unless the Legislature specifically appropriates or allocates funds to continue those positions. [PL 2005, c. 519, Pt. E, §1 (AMD).]

**1. Prohibition.**

[PL 1993, c. 70, §1 (RP).]

**2. Workers' compensation positions.** Limited-period positions may be established for former regular employees of the State who are presently receiving workers' compensation payments from the State when that action enables those employees to return to productive employment with the State. These positions may be established, if funds are available, only until those employees can be returned to regular positions. Notwithstanding any other restrictions on funds appropriated or allocated, the State Budget Officer may, after determining that funds are available, either approve the use of these funds or recommend appropriate action to the Governor when the Governor's approval is required. Available funds may include amounts appropriated or allocated for Personal Services, including funds in any salary account or special account for state employee salary increases, All Other, Capital Expenditures and unallocated.

[PL 2005, c. 12, Pt. T, §2 (NEW).]

**3. Number of necessary employees.** The Governor and the State Budget Officer when preparing the budget proposals for the Legislature may at their discretion make the necessary adjustments to reflect the number of limited-period positions that, in their opinion, are necessary to the proper operation of each department, institution or agency.

[PL 2005, c. 12, Pt. T, §2 (NEW).]

**4. Federally funded programs.** If federal funds are not available as anticipated for programs, there is no obligation to provide state funds in excess of those appropriated or allocated by the Legislature. Positions entirely or partially funded by federal or nonstate sources of funds are considered limited-period positions.

[PL 2005, c. 12, Pt. T, §2 (NEW).]

**SECTION HISTORY**

PL 1991, c. 780, §OO1 (NEW). PL 1993, c. 6, §N1 (AMD). PL 1993, c. 70, §1 (RPR). PL 1993, c. 241, §H1 (AMD). PL 1993, c. 414, §F1 (AMD). PL 1993, c. 707, §G4 (AMD). PL 1993, c. 707, §G5 (AFF). PL 1997, c. 643, §Y1 (AMD). PL 1999, c. 127, §A5 (AMD). PL 1999, c. 401, §J1 (AMD). PL 2005, c. 12, §T2 (AMD). PL 2005, c. 519, §E1 (AMD).

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