

123:1-41-02

**Determination of lack of funds and lack of work for agencies whose employees are paid by warrant of the director of budget and management.**

- (A) Determination of lack of funds. The director of the office of budget and management shall be responsible for determining whether a lack of funds exists for appointing authorities whose employees are paid by warrant of the director of budget and management. The determination of lack of funds shall be made in accordance with the rules promulgated by the director of budget and management.
- (B) Determination of lack of work. The director of administrative services shall determine whether a lack of work exists for appointing authorities whose employees are paid by warrant of the director of budget and management. The appointing authority shall file along with a request for determination of lack of work, adequate information to establish that a lack of work exists. Such information may consist of a comparison between current or projected work levels and work levels when a lack of work did not exist, which may include statistical data and additional supporting materials.
- (C) Verification of retention points. Verification of retention points shall not be completed prior to a determination that a lack of work or lack of funds exists.

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CERTIFIED ELECTRONICALLY

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Certification

09/17/2012

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Date

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