§ 7602. Deferral of Budget Authority.

(a) Whenever the Governor or any person having administrative control over any appropriation (other than an appropriation to the judicial or legislative branches) proposes a deferral of budget authority (including the creation of any reserve pursuant to 1 CMC § 7604(b)), or otherwise creates such a deferral by his action or inaction, the Governor shall transmit to both houses of the legislature a special message specifying:

(1) The amount of the budget authority to be deferred;

(2) The agency or account, and any specific project or governmental function involved;

(3) The specific date during which the budget authority is proposed to be deferred;

(4) The reasons for the proposed deferral;

(5) To the maximum extent practicable, the estimated fiscal, economic, and budgetary effects of the deferral; and

(6) All facts, circumstances, and considerations relating to or bearing upon the deferral and the decision to effect such deferral, including an analysis of such facts, circumstances, and considerations in terms of the application of such legal authority, and the estimated effect of the deferral on the object, purposes, and programs for which the budget authority is provided.

(b) A special message under this section may include one or more deferrals of budget authority. A deferral may not be made or proposed for any period of time extending beyond the end of the fiscal year in which such message is transmitted to the legislature.

(c) If the legislature disapproves any proposed deferral included in a special message under this section, the disapproved amount shall be made available for obligation.

(d) The provisions of this section do not apply to any budget authority proposed to be rescinded as set forth in a special message transmitted under 1 CMC § 7601, or under circumstances which would require the transmittal of such a special message.

Source: PL 3-68, § 602; amended by PL 3-93, § 5.