

**Commission on Legal Counsel for Indigents
Budget No. 188
House Bill Nos. 1022 and 1021**

	FTE Positions	General Fund	Other Funds	Total
2015-17 legislative appropriations	40.00	\$18,304,103	\$2,106,914	\$20,411,017
2015-17 base budget	33.00	11,923,410	2,497,866	14,421,276
Legislative increase (decrease) to base budget	7.00	\$6,380,693	(\$390,952)	\$5,989,741

ONGOING AND ONE-TIME GENERAL FUND APPROPRIATIONS

	Ongoing General Fund Appropriation	One-Time General Fund Appropriation	Total General Fund Appropriation
2015-17 legislative appropriations	\$18,181,828	\$122,275	\$18,304,103
2013-15 legislative appropriations	11,923,410	900,000 ¹	12,823,410 ¹
2015-17 legislative increase (decrease) to 2013-15 appropriations	\$6,258,418	(\$777,725)	\$5,480,693
Percentage increase (decrease) to 2013-15 appropriations	52.5%	(86.4%)	42.7%

¹The 2013-15 biennium general fund appropriations reflect a deficiency appropriation of \$700,000 and a \$200,000 transfer of appropriation authority from the state contingencies appropriation made in Senate Bill No. 2023. See the **Deficiency Appropriations** section below for additional information.

SUMMARY OF LEGISLATIVE CHANGES TO THE BASE BUDGET AND MAJOR FUNDING ITEMS

Salaries and Wages

The legislative action affecting the recommended appropriation for the Commission on Legal Counsel for Indigents is in accordance with legislative salary and fringe benefits guidelines as contained in Senate Bill No. 2015.

	Changes to Base Budget			Total
	FTE Positions	General Fund	Other Funds	
The legislative action:				
Added funding for base payroll changes for cost-to-continue 2013-15 biennium salaries and benefit increases and for other base payroll changes.		\$302,556	\$14,096	\$316,652
Added funding for 2015-17 biennium performance salary adjustments of 2 to 4 percent per year.		260,335	6,915	267,250
Added funding for employee health insurance premiums to reflect a premium estimate of \$1,130.22 per month.		142,598		142,598

Added funding for 1 attorney FTE position and 1 administrative FTE position and related operating expenses to establish a Watford City office.	2.00	539,555		539,555
Added funding to convert 5 temporary employees to FTE positions.	5.00	720,794		720,794
Decreased special funds as the result of less funding available in the defense administration fund.			(611,963)	(611,963)
Added funding for increased costs of legal fees, contract fees, case specific fees, and other costs related to increased caseloads		4,200,000		4,200,000
Added funding for desktop support from the Information Technology Department, including \$122,275 of one-time funding from the general fund. (House Bill No. 1021)		214,855		214,855
Added one-time funding from the strategic investment and improvements fund for contract fees for legal services related to increased caseloads.			200,000	200,000
Total	<u>7.00</u>	<u>\$6,380,693</u>	<u>(\$390,952)</u>	<u>\$5,989,741</u>

FTE Changes

The Legislative Assembly added 1 attorney FTE position (\$210,924) and 1 administrative assistant FTE position (\$115,956) and related operating expenses (\$212,675) to establish a Watford City office, and converted 5 temporary employees to FTE positions (\$720,794).

One-Time Funding

In Section 2 of House Bill No. 1022, the Legislative Assembly identified \$200,000 from the strategic investment and improvements fund as one-time funding for contract services fees for the 2015-17 biennium.

In Section 9 of House Bill No. 1021, the Legislative Assembly identified \$122,275 from the general fund as one-time funding for desktop support services from the Information Technology Department for the 2015-17 biennium.

Deficiency Appropriations

In Section 1 of Senate Bill No. 2023, the Legislative Assembly provided a deficiency appropriation of \$700,000 from the general fund to the Commission on Legal Counsel for Indigents to provide funding for expenses resulting from increased caseloads. In Section 3 of Senate Bill No. 2023, the Legislative Assembly provided \$200,000 from the state contingencies appropriation in the Emergency Commission contingency fund line item in Section I of Chapter 15 of the 2013 Session Laws to the Commission on Legal Counsel for Indigents.

Other Sections in Bill

Legislative member per diem rate, travel and expenses - Section 3 amends North Dakota Century Code Section 54-61-01(6) to provide a legislative member on the Commission on Legal Counsel for Indigents is entitled to receive the per diem rate as provided under Section 54-53-10 and requires the Legislative Council pay the per diem, travel and expenses of a legislative member serving on the commission.

Legislative Assembly report - Section 4 requires the agency to report to the 65th Legislative Assembly regarding the effectiveness of limits and procedures used to ensure defense services are provided only to indigent clients.

Related Legislation

Desktop support - In Sections 7, 8, and 9 of House Bill No. 1021, the Legislative Assembly provided funding of \$214,855 from the general fund, of which \$122,275 is one-time funding, to the Commission on Legal Counsel for Indigents for desktop support services and included provisions requiring the agency to obtain desktop support services from the Information Technology Department.