

**Commission on Legal Counsel for Indigents  
Budget No. 188  
Senate Bill No. 2022**

|   | <b>FTE Positions</b> | <b>General Fund</b> | <b>Other Funds</b> | <b>Total</b>      |
|---|----------------------|---------------------|--------------------|-------------------|
| 2013-15 executive budget (bills as introduced)            | 33.00                | \$12,046,125        | \$2,501,677        | \$14,547,802      |
| <b>2013-15 legislative appropriations</b>                 | <b>33.00</b>         | <b>11,923,410</b>   | <b>2,497,866</b>   | <b>14,421,276</b> |
| Legislative increase (decrease) to executive budget       | 0.00                 | (\$122,715)         | (\$3,811)          | (\$126,526)       |
| Legislative increase (decrease) to 2011-13 appropriations | 3.00                 | \$2,114,980         | \$527,014          | \$2,641,994       |

**ONGOING AND ONE-TIME GENERAL FUND APPROPRIATIONS**

|   | <b>Ongoing<br/>General Fund<br/>Appropriation</b> | <b>One-Time<br/>General Fund<br/>Appropriation</b> | <b>Total<br/>General Fund<br/>Appropriation</b> |
|---|---|--|---|
| 2011-13 legislative appropriations                                | \$9,808,430                                       | \$0  | \$9,808,430                                     |
| <b>2013-15 legislative appropriations</b>                         | <b>11,923,410</b>                                 | <b>0</b>   | <b>11,923,410</b>                               |
| 2013-15 legislative increase (decrease) to 2011-13 appropriations | \$2,114,980                                       | \$0  | \$2,114,980                                     |
| Percentage increase (decrease) to 2011-13 appropriations          | 21.6%   | N/A  | 21.6%   |
| 2013-15 legislative increase (decrease) to executive budget       | (\$122,715)                                       | \$0  | (\$122,715)                                     |
| Percentage increase (decrease) to executive budget                | (1.0%)  | N/A  | (1.0%)  |

**SUMMARY OF LEGISLATIVE CHANGES TO THE EXECUTIVE 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 House Bill No. 1015. Consistent with the guidelines, a portion of salaries and wages funding from the general fund (\$113,366) and from other funds (\$3,506) for permanent employees' compensation and benefits is reallocated to an accrued leave payments line item for paying accrued annual leave and sick leave for eligible employees.

|  | <b>Major Items</b>   |                     |                    |                    |
|--|----------------------|---------------------|--------------------|--------------------|
|  | <b>FTE Positions</b> | <b>General Fund</b> | <b>Other Funds</b> | <b>Total</b>       |
| The legislative action:  |                      |                     |                    |                    |
| Adjusted funding for state employee salaries and benefits consistent with the legislative compensation package guidelines included in House Bill No. 1015. |                      | (\$122,715)         | (\$3,811)          | (\$126,526)        |
| <b>Total</b>   | <b>0.00</b>          | <b>(\$122,715)</b>  | <b>(\$3,811)</b>   | <b>(\$126,526)</b> |

**FTE Changes**

The Legislative Assembly did not change the executive recommendation which included funding for 33 FTE positions, an increase of 3 FTE positions from the 2009-11 biennium level of 30 FTE positions. The new FTE positions include one attorney position and two administrative assistant positions.

#### **Other Sections in Bill**

**Fee for indigent defense services** - Section 2 amends Section 2-07-01.1(1) to change the application fee for indigent defense services from \$25 to \$35.

**Reimbursement of attorney's fees** - Section 3 provides legislative intent that a defendant who has been charged with a felony and for whom counsel is provided by the Commission on Legal Counsel for Indigents pays \$575 for reimbursement of attorney's fees.