

**Commission on Legal Counsel for Indigents
Budget No. 188
House Bill Nos. 1023, 1014**

| | FTE Positions | General Fund | Other Funds | Total |
|---|----------------------|---------------------|--------------------|-------------------|
| 2007-09 executive budget (bills as introduced) | 29.00 | \$9,512,811 | \$1,700,705 | \$11,213,516 |
| 2007-09 legislative appropriations | 29.00 | 9,509,991 | 1,700,705 | 11,210,696 |
| Legislative increase (decrease) to executive budget | 0.00 | (\$2,820) | \$0 | (\$2,820) |
| Legislative increase (decrease) to 2005-07 appropriations | 23.00 | \$949,422 | \$480,705 | \$1,430,127 |

¹The 2005-07 appropriation amounts include \$9,530,493, of which \$8,310,493 is from the general fund and \$1,220,000 is indigent defense administration funds, transferred from the judicial branch and \$250,076 of general fund carryover authority.

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 Senate Bill No. 2189.

| | Major Items | | | |
|---|----------------------|---------------------|--------------------|------------------|
| | FTE Positions | General Fund | Other Funds | Total |
| The legislative action: | | | | |
| Reduced funding recommended in the executive budget relating to retiree health credit contributions | | (\$2,820) | | (\$2,820) |
| Total | 0.00 | (\$2,820) | \$0 | (\$2,820) |

FTE Changes

The Legislative Assembly did not change the executive recommendation which included funding for 29 FTE positions. Senate Bill No. 2027 (2005) provided for the establishment of a Commission on Legal Counsel for Indigents for the purpose of providing indigent defense services and provided for the transition of indigent defense services from the judicial branch to the commission by December 31, 2005. A total of 6 FTE positions were identified for the establishment of the Commission on Legal Counsel for Indigents. During the 2005-07 biennium, an additional 13 FTE positions were added to staff new public defender offices in Minot, Williston, Dickinson, and Grand Forks for a total of 19 FTE positions. North Dakota Century Code Section 54-61-02 allows the Commission on Legal Counsel for Indigents to establish public defender offices in regions of the state as the commission considers necessary and appropriate. The 2007 Legislative Assembly added funding and 10 additional FTE positions for a phased-in addition of public defender offices in Bismarck and Fargo.

Other Sections in House Bill No. 1023

Bismarck and Fargo public defender offices - The 2007 Legislative Assembly appropriated \$1 million from the general fund for a phased-in addition of public defender offices in Bismarck and Fargo.