

IN THE SENATE

SENATE BILL NO. 1346

BY FINANCE COMMITTEE

AN ACT

1 RELATING TO THE APPROPRIATION TO THE PUBLIC DEFENSE COMMISSION; APPROPRIAT-
2 ING MONEYS TO THE PUBLIC DEFENSE COMMISSION FOR FISCAL YEAR 2019; LIMIT-
3 ING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING
4 LEGISLATIVE INTENT REGARDING THE ALLOCATION OF TRUSTEE AND BENEFIT PAY-
5 MENTS IN FISCAL YEAR 2019; PROVIDING LEGISLATIVE INTENT REGARDING EN-
6 CUMBRANCES IN FISCAL YEAR 2019; PROVIDING LEGISLATIVE INTENT REGARDING
7 THE ALLOCATION OF TRUSTEE AND BENEFIT PAYMENTS IN FISCAL YEAR 2018; PRO-
8 VIDING LEGISLATIVE INTENT REGARDING ENCUMBRANCES IN FISCAL YEAR 2018;
9 AND DECLARING AN EMERGENCY.
10

11 Be It Enacted by the Legislature of the State of Idaho:

12 SECTION 1. There is hereby appropriated to the Public Defense Commis-
13 sion from the General Fund the following amounts to be expended for the des-
14 ignated expense classes for the period July 1, 2018, through June 30, 2019:

15 FOR:

16 Personnel Costs	\$561,600
17 Operating Expenditures	217,500
18 Trustee and Benefit Payments	<u>5,025,700</u>
19 TOTAL	\$5,804,800

20 SECTION 2. FTP AUTHORIZATION. In accordance with Section 67-3519,
21 Idaho Code, the Public Defense Commission is authorized no more than six
22 (6.00) full-time equivalent positions at any point during the period July 1,
23 2018, through June 30, 2019, unless specifically authorized by the Governor.
24 The Joint Finance-Appropriations Committee will be notified promptly of any
25 increased positions so authorized.

26 SECTION 3. ALLOCATION OF TRUSTEE AND BENEFIT PAYMENTS. Of the amount
27 appropriated as trustee and benefit payments in Section 1 of this act, no
28 more than \$4,452,600 shall be expended for formula grants pursuant to Sec-
29 tions 19-862A and 19-851(8), Idaho Code; no more than \$150,000 shall be
30 expended to incentivize the establishment of joint public defender of-
31 fices pursuant to Section 19-862A(3), Idaho Code; and no more than \$423,100
32 shall be expended for extraordinary litigation costs pursuant to Section
33 19-850(2)(e), Idaho Code. Any remaining unexpended amounts not so used
34 shall revert to the General Fund.

35 SECTION 4. ENCUMBRANCES. Notwithstanding any other provision of law to
36 the contrary, the Public Defense Commission shall not transfer or encumber
37 amounts appropriated as trustee and benefit payments in Section 1 of this
38 act.

1 SECTION 5. ALLOCATION OF TRUSTEE AND BENEFIT PAYMENTS. Of the amount
2 appropriated as trustee and benefit payments in Section 1, Chapter 205, Laws
3 of 2017, no more than \$4,452,600 shall be expended for formula grants pur-
4 suant to Sections 19-862A and 19-851(8), Idaho Code; no more than \$150,000
5 shall be expended to incentivize the establishment of joint public de-
6 fender offices pursuant to Section 19-862A(3), Idaho Code; and no more than
7 \$423,100 shall be expended for extraordinary litigation costs pursuant to
8 Section 19-850(2)(e), Idaho Code. Any remaining unexpended amounts not so
9 used shall revert to the General Fund.

10 SECTION 6. ENCUMBRANCES. Notwithstanding any other provision of law to
11 the contrary, the Public Defense Commission shall not transfer or encumber
12 amounts appropriated as trustee and benefit payments in Section 1, Chapter
13 205, Laws of 2017.

14 SECTION 7. An emergency existing therefor, which emergency is hereby
15 declared to exist, Sections 5 and 6 of this act shall be in full force and ef-
16 fect on and after passage and approval.