

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1022

That the Senate recede from its amendments as printed on pages 1299-1301 of the House Journal and pages 1036 and 1037 of the Senate Journal and that Engrossed House Bill No. 1021 be amended as follows:

Page 1, line 2, after "indigents" insert "; to amend and reenact subsection 6 of section 54-61-01 of the North Dakota Century Code, relating to the commission on legal counsel for indigents; and to provide for a report to the sixty-fifth legislative assembly"

Page 1, replace lines 12 and 13 with:

"Commission on legal counsel for indigents	\$14,304,404	\$5,891,758	\$20,196,162"
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Page 1, replace lines 15 through 17 with:

"Total all funds	\$14,421,276	\$5,774,886	\$20,196,162
Less special funds	<u>2,497,866</u>	<u>(390,952)</u>	<u>2,106,914</u>
Total general fund	\$11,923,410	\$6,165,838	\$18,089,248"

Page 1, after line 18, insert:

"SECTION 2. STRATEGIC INVESTMENT AND IMPROVEMENTS FUND - CONTRACT SERVICE FEES. The commission on legal counsel for indigents line item in section 1 of this Act, includes the sum of \$200,000 from the strategic investment and improvements fund for contract service fees. The funding provided is considered a one-time funding item.

SECTION 3. AMENDMENT. Subsection 6 of section 54-61-01 of the North Dakota Century Code is amended and reenacted as follows:

6. A member of the commission is entitled to reimbursement for travel and expenses as provided by law for other state officers. If not otherwise employed by the state of North Dakota, a member is entitled to receive per diem compensation of sixty-two dollars and fifty cents for each day devoted to attending meetings or performing other duties relating to the official business of the commission. A member of the commission who is a member of the legislative assembly is entitled to receive per diem compensation at the rate as provided under section 54-35-10 for each day devoted to attending meetings or performing other duties relating to the official business of the commission. The legislative council shall pay the per diem compensation and reimbursement for travel and expenses as provided by law for any member of the commission who is a member of the legislative assembly.

SECTION 4. ELIGIBILITY FOR SERVICES - REPORT TO SIXTY-FIFTH LEGISLATIVE ASSEMBLY. The commission on legal counsel for indigents shall report to the sixty-fifth legislative assembly regarding the effectiveness of limits and procedures used to ensure that defense services are provided only to indigent clients."

Re-number accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1022 - Commission on Legal Counsel for Indigents - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Commission on legal counsel for indigents	\$14,304,404	\$20,026,275	\$169,887	\$20,196,162	\$20,196,162	
Accrued leave payments	116,872					
Total all funds	\$14,421,276	\$20,026,275	\$169,887	\$20,196,162	\$20,196,162	\$0
Less estimated income	2,497,866	1,906,914	200,000	2,106,914	1,906,914	200,000
General fund	\$11,923,410	\$18,119,361	(\$30,113)	\$18,089,248	\$18,289,248	(\$200,000)
FTE	33.00	40.00	0.00	40.00	40.00	0.00

Department No. 188 - Commission on Legal Counsel for Indigents - Detail of Conference Committee Changes

	Adjusts Funding for Health Insurance Premium Increases ¹	Adds Funding for Legal Contract Services ²	Total Conference Committee Changes
Commission on legal counsel for indigents	(\$30,113)	\$200,000	\$169,887
Accrued leave payments			
Total all funds	(\$30,113)	\$200,000	\$169,887
Less estimated income	0	200,000	200,000
General fund	(\$30,113)	\$0	(\$30,113)
FTE	0.00	0.00	0.00

¹ Funding for employee health insurance premiums is adjusted to reflect the revised premium estimate of \$1,130.22 per month.

² One-time funding is added for contract fees for legal services related to increasing case loads from the strategic investment and improvements fund to provide a total of \$4.4 million. The Senate provided \$200,000 for these fees from the general fund.

This amendment also adds:

- An amendment to North Dakota Century Code Section 54-61-01, which provides a member of the Commission on Legal Counsel for Indigents who is also a legislator is entitled to receive per diem compensation as provided under Section 54-35-10. The Legislative Council is required to pay the per diem and travel and related expenses for the legislators. The Senate added the section but did not require the Legislative Council to pay the per diem and travel and expenses for the legislators.
- A new section requiring the agency to report to the 65th Legislative Assembly regarding the effectiveness of limits and procedures to provide defense services to only those individuals who are indigent.
- A new section providing one-time funding of \$200,000 from the strategic investment and improvements fund for contract fee services.