

Sixty-fourth
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1022

Introduced by

Appropriations Committee

(At the request of the Governor)

1 A BILL for an Act to provide an appropriation for defraying the expenses of the commission on
2 legal counsel for indigents; to amend and reenact subsection 6 of section 54-61-01 of the North
3 Dakota Century Code, relating to the commission on legal counsel for indigents; and to provide
4 for a report to the sixty-fifth legislative assembly.

5 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

6 **SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds
7 as may be necessary, are appropriated out of any moneys in the general fund in the state
8 treasury, not otherwise appropriated, and from special funds derived from other income, to the
9 commission on legal counsel for indigents for the purpose of defraying the expenses of the
10 commission on legal counsel for indigents, for the biennium beginning July 1, 2015, and ending
11 June 30, 2017, as follows:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
14 Commission on legal counsel	\$14,304,404	\$5,721,871	\$20,026,275
15 — for indigents			
16 <u>Commission on legal counsel</u>	<u>\$14,304,404</u>	<u>\$5,891,758</u>	<u>\$20,196,162</u>
17 <u> for indigents</u>			
18 Accrued leave payments	116,872	(116,872)	0
19 Total all funds	\$14,421,276	\$5,604,999	\$20,026,275
20 Less special funds	2,497,866	(590,952)	1,906,104
21 Total general fund	\$11,923,410	\$6,195,951	\$18,119,361
22 <u>Total all funds</u>	<u>\$14,421,276</u>	<u>\$5,774,886</u>	<u>\$20,196,162</u>
23 <u>Less special funds</u>	<u>2,497,866</u>	<u>(390,952)</u>	<u>2,106,914</u>

1	<u>Total general fund</u>	<u>\$11,923,410</u>	<u>\$6,165,838</u>	<u>\$18,089,248</u>
2	Full-time equivalent positions	33.00	7.00	40.00

3 **SECTION 2. STRATEGIC INVESTMENT AND IMPROVEMENTS FUND - CONTRACT**

4 **SERVICE FEES.** The commission on legal counsel for indigents line item in section 1 of this
5 Act, includes the sum of \$200,000 from the strategic investment and improvements fund for
6 contract service fees. The funding provided is considered a one-time funding item.

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

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

20 **SECTION 4. ELIGIBILITY FOR SERVICES - REPORT TO SIXTY-FIFTH LEGISLATIVE**

21 **ASSEMBLY.** The commission on legal counsel for indigents shall report to the sixty-fifth
22 legislative assembly regarding the effectiveness of limits and procedures used to ensure that
23 defense services are provided only to indigent clients.