

IN THE SENATE

SENATE BILL NO. 1433

BY FINANCE COMMITTEE

AN ACT

REDUCING THE APPROPRIATION TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE INDEPENDENT COUNCILS FOR FISCAL YEAR 2010; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE DOMESTIC VIOLENCE COUNCIL FOR FISCAL YEAR 2010; APPROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR INDEPENDENT COUNCILS FOR FISCAL YEAR 2011; PROVIDING THAT THE STATE CONTROLLER SHALL MAKE TRANSFERS FROM THE GENERAL FUND; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS FOR THE INDEPENDENT COUNCILS; PROVIDING LEGISLATIVE INTENT FOR THE EDUCATION STIPEND FOR DEPARTMENT OF HEALTH AND WELFARE EMPLOYEES; ALLOWING TRANSFERS BETWEEN PERSONNEL COSTS AND OPERATING EXPENDITURES; PROVIDING LEGISLATIVE INTENT FOR PROGRAM INTEGRITY; AND DECLARING AN EMERGENCY.

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

SECTION 1. Notwithstanding any other provision of law to the contrary, the appropriation made in Section 1, Chapter 256, Laws of 2009, to the Department of Health and Welfare for the Independent Councils is hereby reduced by the following amounts for the designated programs according to the designated expense classes from the listed fund for the period July 1, 2009, through June 30, 2010:

	FOR PERSONNEL COSTS	FOR OPERATING EXPENDITURES	TOTAL
I. COUNCIL FOR THE DEAF AND HARD OF HEARING:			
FROM:			
Cooperative Welfare (General) Fund	\$8,800	\$1,200	\$10,000
II. DEVELOPMENTAL DISABILITIES COUNCIL:			
FROM:			
Cooperative Welfare (General) Fund	\$6,600	\$900	\$7,500
III. DOMESTIC VIOLENCE COUNCIL:			
FROM:			
Cooperative Welfare (General) Fund	\$800	\$100	\$900
GRAND TOTAL	\$16,200	\$2,200	\$18,400

SECTION 2. In addition to the appropriation made in Section 1, Chapter 256, Laws of 2009, there is hereby appropriated to the Department of Health and Welfare for the Domestic Violence Council the following amount to be ex-

1 pended according to the designated expense class from the listed fund for the  
 2 period July 1, 2009, through June 30, 2010:

3 FOR:

4 Trustee and Benefit Payments \$350,000

5 FROM:

6 Cooperative Welfare (Federal) Fund \$350,000

7 SECTION 3. There is hereby appropriated to the Department of Health and  
 8 Welfare for the Independent Councils the following amounts to be expended  
 9 for the designated programs according to the designated expense classes from  
 10 the listed funds for the period July 1, 2010, through June 30, 2011:

11		FOR	FOR	FOR	
12		FOR	FOR	TRUSTEE AND	
13		PERSONNEL	OPERATING	BENEFIT	
14		COSTS	EXPENDITURES	PAYMENTS	TOTAL
15	I. DEVELOPMENTAL DISABILITIES COUNCIL:				
16	FROM:				
17	Cooperative Welfare (General)				
18	Fund	\$85,400	\$11,800		\$97,200
19	Cooperative Welfare (Dedicated)				
20	Fund		15,000		15,000
21	Cooperative Welfare (Federal)				
22	Fund	<u>296,800</u>	<u>257,300</u>	<u>\$92,200</u>	<u>646,300</u>
23	TOTAL	\$382,200	\$284,100	\$92,200	\$758,500
24	II. DOMESTIC VIOLENCE COUNCIL:				
25	FROM:				
26	Cooperative Welfare (General)				
27	Fund	\$11,200	\$1,300		\$12,500
28	Domestic Violence Project				
29	Fund	149,000	163,200	\$171,800	484,000
30	Cooperative Welfare (Dedicated)				
31	Fund		40,000		40,000
32	Cooperative Welfare (Federal)				
33	Fund	<u>86,700</u>	<u>76,900</u>	<u>2,865,400</u>	<u>3,029,000</u>
34	TOTAL	\$246,900	\$281,400	\$3,037,200	\$3,565,500
35	GRAND TOTAL	\$629,100	\$565,500	\$3,129,400	\$4,324,000

36 SECTION 4. GENERAL FUND TRANSFERS. As appropriated, the State Con-  
 37 troller shall make transfers from the General Fund to the Cooperative  
 38 Welfare Fund, periodically, as requested by the director of the Department  
 39 of Health and Welfare and approved by the Board of Examiners.

1 SECTION 5. FULL-TIME EQUIVALENT POSITIONS. In accordance with Section  
2 67-3519, Idaho Code, the Department of Health and Welfare is authorized no  
3 more than ten (10) full-time equivalent positions for the Independent Coun-  
4 cils during the period July 1, 2010, through June 30, 2011. Transfers of  
5 full-time equivalent positions between appropriated programs within the de-  
6 partment are authorized and shall be reported in the budget prepared for the  
7 next fiscal year. Any full-time equivalent positions in excess of the de-  
8 partment's total cap may be authorized only by the Governor and promptly re-  
9 ported to the Joint Finance-Appropriations Committee.

10 SECTION 6. EDUCATION STIPEND FOR DEPARTMENT OF HEALTH AND WELFARE  
11 EMPLOYEES. Recognizing that employee development is an essential part of a  
12 workforce but that budget shortfalls require a reprioritization of expendi-  
13 tures towards core functions first and development and training second, the  
14 Department of Health and Welfare is hereby directed not to pay any education  
15 stipends, with the exception of the IV-E funding source, for employees  
16 during fiscal year 2011 due to budgetary shortfalls and a reprioritization  
17 towards core expenditures.

18 SECTION 7. TRANSFERS BETWEEN PERSONNEL COSTS AND OPERATING EXPEN-  
19 DITURES. Notwithstanding the provisions of Section 67-3511, Idaho Code,  
20 that state "No appropriation made for expenses other than personnel costs  
21 shall be expended for personnel costs of the particular department, office  
22 or institution for which it is appropriated,..." For fiscal year 2011, the  
23 Department of Health and Welfare may transfer funds appropriated for oper-  
24 ating expenditures to personnel costs with the consent of the State Board of  
25 Examiners that currently designates the responsibility to the Division of  
26 Financial Management.

27 SECTION 8. PROGRAM INTEGRITY. Notwithstanding any other provisions of  
28 law, it is hereby declared to be the intent of the Legislature that the De-  
29 partment of Health and Welfare shall be required to provide those services  
30 authorized or mandated by law in each program, only to the extent of funding  
31 and available resources appropriated for each budgeted program.

32 SECTION 9. An emergency existing therefor, which emergency is hereby  
33 declared to exist, Sections 1 and 2 of this act shall be in full force and ef-  
34 fect on and after passage and approval.