

## IN THE HOUSE OF REPRESENTATIVES

## HOUSE BILL NO. 314

## BY APPROPRIATIONS COMMITTEE

## AN ACT

1 APPROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE  
 2 FOR INDEPENDENT COUNCILS FOR FISCAL YEAR 2010; PROVIDING THAT  
 3 THE STATE CONTROLLER SHALL MAKE TRANSFERS FROM THE GENERAL  
 4 FUND; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS  
 5 FOR THE INDEPENDENT COUNCILS; PROVIDING LEGISLATIVE INTENT FOR  
 6 THE EDUCATION STIPEND FOR DEPARTMENT OF HEALTH AND WELFARE  
 7 EMPLOYEES; ALLOWING TRANSFERS BETWEEN PERSONNEL COSTS AND  
 8 OPERATING EXPENDITURES; PROVIDING LEGISLATIVE INTENT ON PER-  
 9 SONNEL COSTS; DIRECTING SALARY REDUCTIONS; AND DECLARING AN  
 10 EMERGENCY.  
 11

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

13 SECTION 1. There is hereby appropriated to the Department of Health and Welfare for  
 14 the Independent Councils the following amounts to be expended for the designated programs  
 15 according to the designated expense classes from the listed funds for the period July 1, 2009,  
 16 through June 30, 2010:

	FOR	FOR	FOR	
	PERSONNEL	OPERATING	TRUSTEE AND	
	COSTS	EXPENDITURES	BENEFIT	TOTAL
			PAYMENTS	
17				
18				
19				
20				
21	I. COUNCIL FOR THE DEAF AND HARD OF HEARING:			
22	FROM:			
23	Cooperative Welfare (General) Fund	\$126,000	\$17,100	\$143,100
24	Cooperative Welfare (Dedicated) Fund	<u>          </u>	<u>          </u>	<u>7,500</u>
25	TOTAL	\$126,000	\$17,100	\$150,600
26	II. DEVELOPMENTAL DISABILITIES COUNCIL:			
27	FROM:			
28	Cooperative Welfare (General) Fund	\$94,100	\$12,700	\$106,800
29	Cooperative Welfare (Dedicated) Fund		15,000	15,000
30	Cooperative Welfare (Federal) Fund	<u>301,300</u>	<u>388,500</u>	<u>721,400</u>
31	TOTAL	\$395,400	\$416,200	\$843,200
32	III. DOMESTIC VIOLENCE COUNCIL:			
33	FROM:			
34	Cooperative Welfare (General) Fund	\$12,100	\$1,400	\$13,500
35	Domestic Violence Project Fund	150,400	163,200	485,400

	FOR PERSONNEL COSTS	FOR OPERATING EXPENDITURES	FOR TRUSTEE AND BENEFIT PAYMENTS	TOTAL
Cooperative Welfare (Dedicated) Fund		40,000		40,000
Cooperative Welfare (Federal) Fund	<u>90,900</u>	<u>76,900</u>	<u>2,865,400</u>	<u>3,033,200</u>
TOTAL	\$253,400	\$281,500	\$3,037,200	\$3,572,100
GRAND TOTAL	\$774,800	\$714,800	\$3,076,300	\$4,565,900

SECTION 2. GENERAL FUND TRANSFERS. As appropriated, the State Controller shall make transfers from the General Fund to the Cooperative Welfare Fund, periodically, as requested by the director of the Department of Health and Welfare and approved by the Board of Examiners.

SECTION 3. FULL-TIME EQUIVALENT POSITIONS. In accordance with Section 67-3519, Idaho Code, the Department of Health and Welfare is authorized no more than twelve (12) full-time equivalent positions for the Independent Councils during the period July 1, 2009, through June 30, 2010. Transfers of full-time equivalent positions between appropriated programs within the department are authorized and shall be reported in the budget prepared for the next fiscal year. Any full-time equivalent positions in excess of the department's total cap may be authorized only by the Governor and promptly reported to the Joint Finance-Appropriations Committee.

SECTION 4. EDUCATION STIPEND FOR DEPARTMENT OF HEALTH AND WELFARE EMPLOYEES. Recognizing that employee development is an essential part of a workforce but that budget shortfalls require a reprioritization of expenditures towards core functions first and development and training second. The Department of Health and Welfare is hereby directed not to pay any education stipends, regardless of funding source, for employees during the fiscal year 2010 due to budgetary shortfalls and a reprioritization towards core expenditures.

SECTION 5. TRANSFERS BETWEEN PERSONNEL COSTS AND OPERATING EXPENDITURES. Notwithstanding the provisions of Section 67-3511, Idaho Code, that state "No appropriation made for expenses other than personnel costs shall be expended for personnel costs of the particular department, office or institution for which it is appropriated,...." For fiscal year 2010, the Department of Health and Welfare may transfer funds appropriated for operating expenditures to personnel costs with the consent of the State Board of Examiners that currently designates the responsibility to the Division of Financial Management.

SECTION 6. LEGISLATIVE INTENT. It is the intent of the Legislature to retain to the extent possible, our capable, quality employees who support the essential services and statutorily authorized programs that the citizens of Idaho expect. The Legislature finds these critical essential services to be those that maintain the health and safety of our citizens and the education of our children. While extending flexibility to the Governor and agency directors to manage the state workforce to the best of their ability during these difficult times, it remains the

1 responsibility of the Legislature to identify priorities for the state workforce. The Legislature  
2 finds that reductions in personnel funding shall first be managed through salary reductions that  
3 impact all personnel fairly; secondly, be mitigated by the use of existing salary savings; thirdly,  
4 by using savings created by keeping newly vacated positions unfilled; fourth, by the use of fur-  
5 loughs; and lastly, as a last resort, by reducing the workforce. It is the intent of the Legislature  
6 that these policies shall be adhered to by the executive, legislative, and judicial branches to the  
7 extent allowed by law.

8         SECTION 7. SALARY REDUCTION. Inasmuch as salary reductions will save jobs; and  
9 inasmuch as a five percent (5%) reduction in personnel funding may create a reduction in force;  
10 and inasmuch as the state as a single employer of multiple departments and agencies is required  
11 by law to direct across the board salary adjustments; agencies and institutions shall reduce all  
12 salaries of classified and nonclassified employees, regardless of fund source, by three percent  
13 (3%) for fiscal year 2010, beginning on June 14, 2009, through June 12, 2010. Agencies shall  
14 use personnel cost savings, furloughs, and a reduction in force to manage the remaining two  
15 percent (2%) in funding reductions. The Division of Human Resources shall adjust all pay  
16 schedules for the classified personnel system downward to the extent that all beginning mini-  
17 mum salaries are three percent (3%) less than those in effect upon the date of passage of this  
18 law.

19         SECTION 8. An emergency existing therefor, which emergency is hereby declared to  
20 exist, Section 7 of this act shall be in full force and effect on and after passage and approval.