

## IN THE HOUSE OF REPRESENTATIVES

## HOUSE BILL NO. 349

## BY APPROPRIATIONS COMMITTEE

## AN ACT

1 APPROPRIATING MONEYS TO THE DEPARTMENT OF COMMERCE FOR FISCAL  
 2 YEAR 2010; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS;  
 3 PROVIDING LEGISLATIVE INTENT ON THE BUSINESS AND JOBS DEVEL-  
 4 OPMENT FUND; PROVIDING LEGISLATIVE INTENT ON PERSONNEL COSTS;  
 5 DIRECTING SALARY REDUCTIONS; AND DECLARING AN EMERGENCY.  
 6

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

8 SECTION 1. There is hereby appropriated to the Department of Commerce the following  
 9 amounts from the listed funds to be expended according to the designated expense classes for  
 10 the period July 1, 2009, through June 30, 2010:

	FOR PERSONNEL COSTS	FOR OPERATING EXPENDITURES	FOR CAPITAL OUTLAY	FOR TRUSTEE AND BENEFIT PAYMENTS	TOTAL
11 FROM:					
12 General Fund	\$2,296,800	\$1,252,000		\$1,050,000	\$4,598,800
13 Business & Jobs					
14 Development Fund				320,000	320,000
15 Tourism and Promotion					
16 Fund	652,800	3,911,900	\$2,800	3,764,900	8,332,400
17 Miscellaneous Revenue					
18 Fund	123,100	157,500			280,600
19 Seminars and Publications					
20 Fund		378,400			378,400
21 Federal Grant Fund	<u>484,600</u>	<u>252,300</u>	<u>2,800</u>	<u>15,620,800</u>	<u>16,360,500</u>
22 TOTAL	\$3,557,300	\$5,952,100	\$5,600	\$20,755,700	\$30,270,700

27 SECTION 2. In accordance with Section 67-3519, Idaho Code, the Department of Com-  
 28 merce is authorized no more than fifty-six (56) full-time equivalent positions at any point  
 29 during the period July 1, 2009, through June 30, 2010, for the program specified in Section 1  
 30 of this act, unless specifically authorized by the Governor. The Joint Finance-Appropriations  
 31 Committee will be notified promptly of any increased positions so authorized.

32 SECTION 3. LEGISLATIVE INTENT. It is the intent of the Legislature that the Director  
 33 of the Department of Commerce has the flexibility to utilize funding from the Business and  
 34 Jobs Development Fund for the purpose of implementing Project 60 or the current use of the  
 35 Business and Jobs Development Fund. Furthermore, job creation should be the first priority of  
 36 this funding.

1 SECTION 4. LEGISLATIVE INTENT. It is the intent of the Legislature to retain to the  
2 extent possible, our capable, quality employees who support the essential services and statuto-  
3 rily authorized programs that the citizens of Idaho expect. The Legislature finds these critical  
4 essential services to be those that maintain the health and safety of our citizens and the ed-  
5 ucation of our children. While extending flexibility to the Governor and agency directors to  
6 manage the state workforce to the best of their ability during these difficult times, it remains the  
7 responsibility of the Legislature to identify priorities for the state workforce. The Legislature  
8 finds that reductions in personnel funding shall first be managed through salary reductions that  
9 impact all personnel fairly; secondly, be mitigated by the use of existing salary savings; thirdly,  
10 by using savings created by keeping newly vacated positions unfilled; fourth, by the use of fur-  
11 loughs; and lastly, as a last resort, by reducing the workforce. It is the intent of the Legislature  
12 that these policies shall be adhered to by the executive, legislative, and judicial branches to the  
13 extent allowed by law.

14 SECTION 5. SALARY REDUCTION. Inasmuch as salary reductions will save jobs; and  
15 inasmuch as a five percent (5%) reduction in personnel funding may create a reduction in force;  
16 and inasmuch as the state as a single employer of multiple departments and agencies is required  
17 by law to direct across the board salary adjustments; agencies and institutions shall reduce all  
18 salaries of classified and nonclassified employees, regardless of fund source, by three percent  
19 (3%) for fiscal year 2010, beginning on June 14, 2009, through June 12, 2010. Agencies shall  
20 use personnel cost savings, furloughs, and a reduction in force to manage the remaining two  
21 percent (2%) in funding reductions. The Division of Human Resources shall adjust all pay  
22 schedules for the classified personnel system downward to the extent that all beginning mini-  
23 mum salaries are three percent (3%) less than those in effect upon the date of passage of this  
24 law.

25 SECTION 6. An emergency existing therefor, which emergency is hereby declared to  
26 exist, Section 5 of this act shall be in full force and effect on and after passage and approval.