

IN THE SENATE

SENATE BILL NO. 1435

BY FINANCE COMMITTEE

AN ACT

1 REDUCING THE APPROPRIATION TO THE DEPARTMENT OF HEALTH AND WELFARE FOR  
2 SUBSTANCE ABUSE TREATMENT AND PREVENTION FOR FISCAL YEAR 2010; APPRO-  
3 PRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE  
4 FOR SUBSTANCE ABUSE TREATMENT AND PREVENTION FOR FISCAL YEAR 2010;  
5 APPROPRIATING MONEYS FOR THE DEPARTMENT OF HEALTH AND WELFARE FOR  
6 SUBSTANCE ABUSE TREATMENT AND PREVENTION FOR FISCAL YEAR 2011; LIMIT-  
7 ING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; PROVIDING THAT THE  
8 STATE CONTROLLER SHALL MAKE TRANSFERS FROM THE GENERAL FUND; DIRECTING  
9 THAT FUNDS FOR TRUSTEE AND BENEFIT PAYMENTS SHALL NOT BE TRANSFERRED;  
10 PROVIDING LEGISLATIVE INTENT FOR THE EDUCATION STIPEND FOR DEPARTMENT  
11 OF HEALTH AND WELFARE EMPLOYEES; ALLOWING TRANSFERS BETWEEN PERSONNEL  
12 COSTS AND OPERATING EXPENDITURES; PROVIDING LEGISLATIVE INTENT FOR  
13 PROGRAM INTEGRITY; DIRECTING EXPENDITURES FOR GAIN PROVIDER TRAINING;  
14 DIRECTING EXPENDITURES FOR A STATEWIDE MEDIA CAMPAIGN FOR UNDERAGE  
15 DRINKING; AND DECLARING AN EMERGENCY.  
16

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

18 SECTION 1. Notwithstanding any other provision of law to the contrary,  
19 the appropriation made in Section 1, Chapter 257, Laws of 2009, to the De-  
20 partment of Health and Welfare for Substance Abuse Treatment and Prevention  
21 is hereby reduced by the following amount according to the designated ex-  
22 pense classes from the listed fund for the period July 1, 2009, through June  
23 30, 2010:

24 FOR:

|                                 |                |
|---------------------------------|----------------|
| 25 Personnel Costs              | \$35,900       |
| 26 Operating Expenditures       | 43,600         |
| 27 Trustee and Benefit Payments | <u>866,500</u> |
| 28 TOTAL                        | \$946,000      |

29 FROM:

|                                       |           |
|---------------------------------------|-----------|
| 30 Cooperative Welfare (General) Fund | \$946,000 |
|---------------------------------------|-----------|

31 SECTION 2. In addition to the appropriation made in Section 1, Chapter  
32 257, Laws of 2009, there is hereby appropriated to the Department of Health  
33 and Welfare for Substance Abuse Treatment and Prevention the following  
34 amount to be expended according to the designated expense classes from the  
35 listed fund for the period July 1, 2009, through June 30, 2010:

|   |                                    |               |
|---|------------------------------------|---------------|
| 1 | FOR:                               |               |
| 2 | Operating Expenditures             | \$75,000      |
| 3 | Trustee and Benefit Payments       | <u>75,000</u> |
| 4 | TOTAL                              | \$150,000     |
| 5 | FROM:                              |               |
| 6 | Cooperative Welfare (Federal) Fund | \$150,000     |

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

| 11 |   | FOR            |                  | FOR              | FOR |                  |
|----|---|----------------|------------------|------------------|-----|------------------|
| 12 |   | PERSONNEL      | OPERATING        | TRUSTEE AND      |     |                  |
| 13 |   | COSTS          | EXPENDITURES     | BENEFIT          |     |                  |
| 14 |   |                |                  | PAYMENTS         |     | TOTAL            |
| 15 | FROM:                                   |                |                  |                  |     |                  |
| 16 | Cooperative Welfare (General)           |                |                  |                  |     |                  |
| 17 | Fund                                    | \$472,800      | \$573,500        | \$11,511,900     |     | \$12,558,200     |
| 18 | Prevention of Minors' Access to Tobacco |                |                  |                  |     |                  |
| 19 | Fund                                    | 6,300          | 43,800           |                  |     | 50,100           |
| 20 | Substance Abuse Treatment               |                |                  |                  |     |                  |
| 21 | Fund                                    |                |                  | 3,232,900        |     | 3,232,900        |
| 22 | Cooperative Welfare (Dedicated)         |                |                  |                  |     |                  |
| 23 | Fund                                    | 44,000         | 438,300          |                  |     | 482,300          |
| 24 | Liquor Control Fund                     |                |                  | 650,000          |     | 650,000          |
| 25 | Cooperative Welfare (Federal)           |                |                  |                  |     |                  |
| 26 | Fund                                    | <u>435,800</u> | <u>2,867,200</u> | <u>5,860,000</u> |     | <u>9,163,000</u> |
| 27 | TOTAL                                   | \$958,900      | \$3,922,800      | \$21,254,800     |     | \$26,136,500     |

28 SECTION 4. FULL-TIME EQUIVALENT POSITIONS. In accordance with Section  
29 67-3519, Idaho Code, the Department of Health and Welfare is authorized no  
30 more than fourteen and four hundredths (14.04) full-time equivalent posi-  
31 tions for the Substance Abuse Treatment and Prevention Program during the  
32 period July 1, 2010, through June 30, 2011. Transfers of full-time equiva-  
33 lent positions between appropriated programs within the department are au-  
34 thorized and shall be reported in the budget prepared for the next fiscal  
35 year. Any full-time equivalent positions in excess of the department's to-  
36 tal cap may be authorized only by the Governor and promptly reported to the  
37 Joint Finance-Appropriations Committee.

38 SECTION 5. GENERAL FUND TRANSFERS. As appropriated, the State Con-  
39 troller shall make transfers from the General Fund to the Cooperative

1 Welfare Fund, periodically, as requested by the director of the Department  
2 of Health and Welfare and approved by the Board of Examiners.

3 SECTION 6. TRANSFER OF TRUSTEE AND BENEFIT PAYMENTS. Notwithstanding  
4 the provisions of Section 67-3511, Idaho Code, funds budgeted in the trustee  
5 and benefit payments expenditure object code shall not be transferred to any  
6 other objects within the program budget during fiscal year 2011.

7 SECTION 7. EDUCATION STIPEND FOR DEPARTMENT OF HEALTH AND WELFARE  
8 EMPLOYEES. Recognizing that employee development is an essential part of a  
9 workforce but that budget shortfalls require a reprioritization of expendi-  
10 tures towards core functions first and development and training second, the  
11 Department of Health and Welfare is hereby directed not to pay any education  
12 stipends, with the exception of the IV-E funding source, for employees  
13 during fiscal year 2011 due to budgetary shortfalls and a reprioritization  
14 towards core expenditures.

15 SECTION 8. TRANSFER BETWEEN PERSONNEL COSTS AND OPERATING EXPENDI-  
16 TURES. Notwithstanding the provisions of Section 67-3511, Idaho Code, that  
17 state "No appropriation made for expenses other than personnel costs shall  
18 be expended for personnel costs of the particular department, office or  
19 institution for which it is appropriated,..." For fiscal year 2011, the  
20 Department of Health and Welfare may transfer funds appropriated for oper-  
21 ating expenditures to personnel costs with the consent of the State Board of  
22 Examiners who currently designates that responsibility to the Division of  
23 Financial Management.

24 SECTION 9. PROGRAM INTEGRITY. Notwithstanding any other provisions of  
25 law, it is hereby declared to be the intent of the Legislature that the De-  
26 partment of Health and Welfare shall be required to provide those services  
27 authorized or mandated by law in each program, only to the extent of funding  
28 and available resources appropriated for each budgeted program.

29 SECTION 10. GAIN PROVIDER TRAINING. It is the intent of the Legisla-  
30 ture that the Department of Health and Welfare Substance Abuse Treatment and  
31 Prevention Program is the sole program responsible for statewide provider  
32 training of GAIN. For that reason the program is directed to utilize up to  
33 \$140,000 of its fiscal year 2011 operating budget appropriation for the pur-  
34 poses of GAIN provider training.

35 SECTION 11. STATEWIDE MEDIA CAMPAIGN FOR UNDERAGE DRINKING. It is the  
36 intent of the Legislature that for fiscal year 2011, the Department of Health  
37 and Welfare Substance Abuse Treatment and Prevention Program shall continue  
38 to fund at least \$50,000 of the \$1,600,000 prevention budget for the youth  
39 and adult media campaign on underage drinking.

40 SECTION 12. An emergency existing therefor, which emergency is hereby  
41 declared to exist, Sections 1 and 2 of this act shall be in full force and ef-  
42 fect on and after passage and approval.