

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 68

BY JUDICIARY, RULES, AND ADMINISTRATION COMMITTEE

AN ACT

1 RELATING TO THE JUDICIAL COUNCIL; AMENDING SECTION 1-2102, IDAHO CODE, TO
2 PROVIDE ADDITIONAL DUTIES OF THE JUDICIAL COUNCIL AND THE SUPREME COURT
3 AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 67-3502, IDAHO
4 CODE, TO PROVIDE THAT THE JUDICIAL DEPARTMENT SHALL INCLUDE IN A CERTAIN
5 FILING THE BUDGET REQUEST OF THE JUDICIAL COUNCIL AS SUBMITTED BY THE
6 JUDICIAL COUNCIL.
7

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

9 SECTION 1. That Section 1-2102, Idaho Code, be, and the same is hereby
10 amended to read as follows:

11 1-2102. DUTIES OF COUNCIL. The judicial council shall:

12 (1) Conduct studies for the improvement of the administration of jus-
13 tice;

14 (2) Make reports to the Ssupreme Ccourt and legislature at intervals of
15 not more than two (2) years;

16 (3) Submit to the governor the names of not less than two (2) nor more
17 than four (4) qualified persons for each vacancy in the office of justice
18 of the Ssupreme Ccourt, judge of the court of appeals, or district judge,
19 one (1) of whom shall be appointed by the governor; provided, that the coun-
20 cil shall submit only the names of those qualified persons who are eligible
21 to stand for election pursuant to section 1-2404, 34-615~~7~~ or 34-616, Idaho
22 Code;

23 (4) Recommend the removal, discipline and retirement of judicial offi-
24 cers, including magistrates; ~~and~~

25 (5) Prepare an annual budget request in the form prescribed in section
26 67-3502, Idaho Code, and submit such request to the supreme court, which
27 shall include such request as submitted by the judicial council in the annual
28 budget request of the judicial department; and

29 (6) Such other duties as may be assigned by law.

30 SECTION 2. That Section 67-3502, Idaho Code, be, and the same is hereby
31 amended to read as follows:

32 67-3502. FORMAT AND PREPARATION OF ANNUAL BUDGET REQUESTS. In the
33 preparation of a state budget, the administrator of the division of fi-
34 nancial management shall, not later than the fifteenth day of July have
35 available for all departments, offices and institutions of the state gov-
36 ernment forms necessary to prepare budget requests. Such forms, whether in
37 electronic or written format, shall be developed by the administrator of
38 the division and the legislative services office to provide the following
39 information:

1 (1) For the preceding fiscal year, each of the entities listed above
2 shall report all funds available to them regardless of source, including
3 legislative appropriations, and their expenditures by fund and object of all
4 sums received from all sources, segregated as provided for on the forms.

5 (2) For the current fiscal year, each of the entities listed above shall
6 report their estimates of all funds available to them regardless of source,
7 including legislative appropriations, and their estimated expenditures by
8 fund and object of all sums received from all sources, segregated as provided
9 for on the forms, including a statement of the purposes for which anticipated
10 funds are expected to be expended.

11 (3) An estimate of appropriations needed for the succeeding fiscal
12 year, showing each primary program or major objective as a separate item of
13 the request and itemized by object code.

14 (4) A report concerning the condition and management of programs, pro-
15 gram performance, and progress toward accomplishing program objectives.

16 The completed forms shall, not later than the first day of September,
17 except with special permission and agreement of the administrator of the di-
18 vision of financial management and the director of the legislative services
19 office, be filed in the office of the administrator of the division of fi-
20 nancial management and the legislative services office. The legislative and
21 judicial departments shall, as early as practicable and in any event no later
22 than the first day of November, prepare and file in the office of the governor
23 and the legislative services office upon the forms described in this section
24 a report of all of the information required in this section. The judicial de-
25 partment shall include in its filing the budget request of the judicial coun-
26 cil as submitted by the judicial council.