STATEMENT OF PURPOSE

RS29687 / S1372

This legislation changes the relationship of the Office of the Attorney General with the State Board of Land Commissioners (Land Board) and the Idaho Department of Lands. It allows the Land Board and the Department of Lands to hire independent counsel in consultation with the Director of the Department of Lands. The independent counsel may hire additional attorneys or contract with the Office of the Attorney General. This legislation does not affect the Attorney General's position on the Land Board.

FISCAL NOTE

Enactment of this legislation would require the Department of Lands to hire a general counsel to represent the Land Board and the Department. It is estimated that a total of three attorneys and one support staff would be required to adequately represent the Board and Department. The total estimated cost would be an additional 4.00 FTP and $601,800, for a Lead Attorney position, for two Attorney 2 positions, and a Legal Assistant position. Included is $479,200 for Personnel Costs, $100,100 for ongoing Operating Expenditure, and $22,500 for one-time Capital Outlay and Operating Expenditures. Spending would be split between the Endowment Earnings Reserve Fund (70%), the Department of Lands Fund (15%), and the General Fund (15%).

A corresponding reduction in attorney staff at the Office of the Attorney General could also be made with a reduction of -3.00 FTP and -$379,400 in General Fund Personnel Costs.

The legislation allows the Department and the Board to continue to contract with the Office of the Attorney General. Unforeseen legal costs at the Department and the Board could require future supplemental appropriations. Also, a reduction in billings for the Department of Lands to the Statewide Cost Recovery Fund would not occur until FY 2025.

Enactment of the bill would reduce overall spending in the outyears as well as decrease General Fund spending; however, there would also be an increase in spending from dedicated funds at the Department of Lands.

Overall estimated spending impact due to enactment over the next five years, assuming a reduction in funding at the Office of the Attorney General, are as follows: FY 2023, $222,400; FY 2024, $211,500; FY 2025, -$170,800; FY 2026, -$152,500; and, FY 2027, -$133,700.

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DISCLAIMER: This statement of purpose and fiscal note are a mere attachment to this bill and prepared by a proponent of the bill. It is neither intended as an expression of legislative intent nor intended for any use outside of the legislative process, including judicial review (Joint Rule 18).