

Senate Subcommittee Report

Agency: Judicial Branch

Bill No. SB 236

Bill Sec. 2

Analyst: Dear

Analysis Pg. No. 1152

Budget Page No. 144

Expenditure Summary	Agency Request FY 2016	Governor Recommendation FY 2016	Senate Subcommittee Adjustments
Operating Expenditures:			
State General Fund	\$ 119,549,312	\$ 96,689,750	\$ 4,304,935
Other Funds	29,514,796	29,301,398	0
Subtotal	<u>\$ 149,064,108</u>	<u>\$ 125,991,148</u>	<u>\$ 4,304,935</u>
Capital Improvements:			
State General Fund	\$ 402,778	\$ 0	\$ 0
Other Funds	0	0	0
Subtotal	<u>\$ 402,778</u>	<u>\$ 0</u>	<u>\$ 0</u>
 TOTAL	 <u><u>\$ 149,466,886</u></u>	 <u><u>\$ 125,991,148</u></u>	 <u><u>\$ 4,304,935</u></u>
 FTE positions	 1,894.3	 1,894.3	 0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
TOTAL	<u><u>1,894.3</u></u>	<u><u>1,894.3</u></u>	<u><u>0.0</u></u>

Agency Request

The **agency** requests \$149.1 million, including \$119.5 million from the State General Fund, for FY 2016. This is an all funds increase of \$15.9 million, or 11.9 percent, and a State General Fund increase of \$17.7 million, or 17.4 percent, above the FY 2015 revised estimate. Absent enhancements, the request is an all funds increase of \$5.3 million, or 4.0 percent, and a State General Fund increase of \$7.2 million, or 7.0 percent, above the FY 2015 revised estimate.

The State General Fund increase is attributable to an increase in salaries and wages of \$15.2 million as a result of \$10.1 million in enhancements for salary increases for judges and staff, 20 additional clerks, 9 additional judges and related staff, a reduction in shrinkage of \$1.1 million, and \$4.1 million in other salary increases. The agency also increased contractual services expenditures by \$156,084 for court improvement.

The special revenue fund reduction is attributable to reduced expenditures of \$2.6 million from the Docket Fee Fund due to lowered projected revenue partially offset by increased expenditures from the Electronic Filing and Management Fund of \$759,221 due to the E-Court Improvement Program beginning its implementation phase. The reduced docket fees available are offset by the increased State General Fund request.

Governor's Recommendation

The **Governor** recommends expenditures of \$126.0 million, including \$96.7 million from the State General Fund, an all funds reduction of \$23.1 million, or 15.5 percent, and a State General Fund reduction of \$22.9 million, or 19.1 percent, from the FY 2016 Judicial Branch request.

The State General Fund reduction is attributable to the following.

- A reduction of \$10.6 million for agency enhancement request.
- A reduction of \$2.4 million for other salary increases.
- A reduction of \$7.2 million in State General fund monies requested by the Judicial Branch to offset declining docket fee revenue.
- A reduction of \$755,448 in State General Fund monies requested by the Judicial Branch to offset lower than anticipated DUI reinstatement revenue.
- A reduction of \$1.1 million from the State General Fund, to reduce employer contributions for state employee health insurance.

Senate Subcommittee Recommendation

The **Subcommittee** concurs with the Governor's recommendation with the following adjustments:

1. Add \$2,326,000, all from the State General Fund, to offset lower than anticipated revenue in the Docket Fee fund for FY 2016. The increase is partially reduced by additional revenue of \$574,000 from Senate Bill 15 which imposes a new docket fee on dispositive motions. The estimate for lower revenue assumes a reduction rate of 3.0 percent from FY 2015 to FY 2016 rather than 6.5 percent in the original Judicial Branch estimate.
2. Add \$648,204, all from the State General Fund, to offset lower than anticipated revenue from DUI reinstatement fees for FY 2016.
3. Add \$156,000, all from the State General Fund, for contractual service expenditures related to senior judge contracts and other contractual service fee increases for FY 2016.
4. Add \$861,364, all from the State General Fund, for judicial retirement fees for FY 2016.
5. Add \$313,367, all from the State General Fund, for other fringe benefit costs including longevity.
6. Add language allowing the agency to transfer funds from the Electronic Filing Management Fund to the Docket Fee Fund for FY 2016.

Senate Ways and Means Committee Recommendation

The **Committee** concurs with the Subcommittee recommendation with the following adjustments:

1. Delete \$2,326,000, all from the State General Fund, to offset lower than anticipated revenue in the Docket Fee fund for FY 2016 and review at Omnibus.
2. Delete \$648,204, all from the State General Fund, to offset lower than anticipated revenue from DUI reinstatement fees for FY 2016 and review at Omnibus.
3. Delete \$156,000, all from the State General Fund, for contractual service expenditures related to senior judge contracts and other contractual service fee increases for FY 2016 and review at Omnibus.
4. Delete \$861,364, all from the State General Fund, for judicial retirement fees for FY 2016.
5. Delete \$313,367, all from the State General Fund, for other fringe benefit costs including longevity and review at Omnibus.

House Budget Committee Report

Agency: Judicial Branch

Bill No. HB 2365

Bill Sec. 2

Analyst: Dear

Analysis Pg. No. 1152

Budget Page No. 144

Expenditure Summary	Agency Request FY 2016	Governor Recommendation FY 2016	House Budget Committee Adjustments
Operating Expenditures:			
State General Fund	\$ 119,549,312	\$ 96,689,750	\$ 6,671,275
Other Funds	29,514,796	29,301,398	0
Subtotal	<u>\$ 149,064,108</u>	<u>\$ 125,991,148</u>	<u>\$ 6,671,275</u>
Capital Improvements:			
State General Fund	\$ 402,778	\$ 0	\$ 0
Other Funds	0	0	0
Subtotal	<u>\$ 402,778</u>	<u>\$ 0</u>	<u>\$ 0</u>
TOTAL	<u><u>\$ 149,466,886</u></u>	<u><u>\$ 125,991,148</u></u>	<u><u>\$ 6,671,275</u></u>
FTE positions	1,894.3	1,894.3	0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
TOTAL	<u><u>1,894.3</u></u>	<u><u>1,894.3</u></u>	<u><u>0.0</u></u>

Agency Request

The **agency** requests \$149.1 million, including \$119.5 million from the State General Fund, for FY 2016. This is an all funds increase of \$15.9 million, or 11.9 percent, and a State General Fund increase of \$17.7 million, or 17.4 percent, above the FY 2015 revised estimate. Absent enhancements, the request is an all funds increase of \$5.3 million, or 4.0 percent, and a State General Fund increase of \$7.2 million, or 7.0 percent, above the FY 2015 revised estimate.

The State General Fund increase is attributable to an increase in salaries and wages of \$15.2 million as a result of \$10.1 million in enhancements for salary increases for judges and staff, 20 additional clerks, 9 additional judges and related staff, a reduction in shrinkage of \$1.1 million, and \$4.1 million in other salary increases. The agency also increased contractual services expenditures by \$156,084 for court improvement.

The special revenue fund reduction is attributable to reduced expenditures of \$2.6 million from the Docket Fee Fund due to lowered projected revenue partially offset by increased expenditures from the Electronic Filing and Management Fund of \$759,221 due to the E-Court Improvement Program beginning its implementation phase. The reduced docket fees available are offset by the increased State General Fund request.

Governor's Recommendation

The **Governor** recommends expenditures of \$126.0 million, including \$96.7 million from the State General Fund, an all funds reduction of \$23.1 million, or 15.5 percent, and a State General Fund reduction of \$22.9 million, or 19.1 percent, from the FY 2016 Judicial Branch request.

The State General Fund reduction is attributable to the following.

- A reduction of \$10.6 million for agency enhancement request.
- A reduction of \$2.4 million for other salary increases.
- A reduction of \$7.2 million in State General fund monies requested by the Judicial Branch to offset declining docket fee revenue.
- A reduction of \$755,448 in State General Fund monies requested by the Judicial Branch to offset lower than anticipated DUI reinstatement revenue.
- A reduction of \$1.1 million from the State General Fund, to reduce employer contributions for state employee health insurance.

House Budget Committee Recommendation

The **Budget Committee** concurs with the Governor's recommendation in FY 2016 with the following adjustments:

1. The Budget Committee recommends that the Legislature support legislation to eliminate the requirement of one judge per county contained within KSA 20-301b in order to allow the Court to more effectively allocate Judicial resources in the State.
2. Add language, requiring that in the event the Judicial Branch elects to furlough Judicial Branch employees the furloughs should target those judicial districts identified in the Judicial Branch Weighted Caseload Study as having low filing volume or otherwise determined to have adequate staffing levels.
3. The Budget Committee notes that the Judicial Branch has been tracking summary judgment motions in FY 2015 and encourages the Judicial Branch to continue tracking dispositive motions for FY 2016.
4. Add \$3,386,192, all from the State General Fund, to offset lower than anticipated revenue in the Docket Fee fund for FY 2016.
5. Add \$648,204, all from the State General Fund, to offset lower than anticipated revenue from DUI reinstatement fees for FY 2016.
6. Add \$1,306,148, all from the State General Fund, for increased KPERS employer contributions for FY 2016.
7. Add \$156,000, all from the State General Fund, for contractual service expenditures related to in-state travel, OITS fees, and other contractual service fee increases for FY 2016.
8. Add \$861,364, all from the State General Fund, for judicial retirement fees for FY 2016.
9. Add \$313,367, all from the State General Fund, for other fringe benefit costs including longevity.

House Committee Recommendation

The **Committee** concurs with the Budget Committee recommendation in FY 2016 with the following adjustments:

1. Delete item 1 recommending the Legislature support efforts to eliminate one judge per county.
2. Delete item 2 requiring the Judicial Branch to use the weighted caseload study when calculating furloughs.

Conference Committee Recommendation

The **Conference Committee** concurs with the Governor's recommendation as adjusted by House Sub. for SB 4:

1. Add \$648,204, all from the State General Fund, to offset lower than anticipated revenue from DUI reinstatement fees for FY 2016.

2. Add \$200,000, all from the Permanent Families Account, to increase funding for the Court Appointed Special Advocate (CASA) program for FY 2016.
3. Add language allowing the agency to transfer funds from the Electronic Filing Management Fund to the Docket Fee Fund for FY 2016.
4. Add \$1.3 million, all from the State General Fund, for increased KPERS employer contributions for FY 2016.
5. Add \$156,000, all from the State General Fund, for contractual service expenditures related to in-state travel, OITS fees, and other contractual service fee increases for FY 2016.
6. Add \$861,364, all from the State General Fund, for judicial retirement contributions for FY 2016.
7. Add \$313,367, all from the State General Fund, for other fringe benefit costs including longevity for FY 2016.
8. Add \$2.8 million, all from the State General Fund, to offset lower than anticipated revenue in the Docket Fee fund for FY 2016.
9. Delete \$1,055,387, including \$882,275, from the State General Fund, to reduce the Kansas Public Employees Retirement System employer contribution rate from 12.37 percent to 10.91 percent for FY 2016. This implements the provisions of SB 228.

	Governor's Recommendation FY 2016	Legislative Action	Legislative Approved FY 2016	Governor's Vetoed FY 2016	Final Legislative Approved FY 2016
All Funds					
State Operations	\$ 124,916,246	\$ 5,041,888	\$ 129,958,134	\$ 0	\$ 129,958,134
Aid to Local Units	166,809	0	166,809	0	166,809
Other Assistance	908,093	200,000	1,108,093	0	1,108,093
Subtotal- Operations	\$ 125,991,148	\$ 5,241,888	\$ 131,233,036	\$ 0	\$ 131,233,036
Capital Improvements	0	0	0	0	0
TOTAL	\$ 125,991,148	\$ 5,241,888	\$ 131,233,036	\$ 0	\$ 131,233,036
State General Fund					
State Operations	\$ 96,689,750	\$ 5,215,000	\$ 101,904,750	\$ 0	\$ 101,904,750
Aid to Local Units	0	0	0	0	0
Other Assistance	0	0	0	0	0
Subtotal-Operating	\$ 96,689,750	\$ 5,215,000	\$ 101,904,750	\$ 0	\$ 101,904,750
Capital Improvements	0	0	0	0	0
TOTAL	\$ 96,689,750	\$ 5,215,000	\$ 101,904,750	\$ 0	\$ 101,904,750
FTE Positions	1,894.3	0.0	1,894.3	0.0	1,894.3
Non-FTE Unclass. Perm. Pos.	0.0	0.0	0.0	0.0	0.0
TOTAL	1,894.3	0.0	1,894.3	0.0	1,894.3