

## Senate Subcommittee Report

**Agency:** Judicial Branch

**Bill No.** SB 236

**Bill Sec.** 3

**Analyst:** Dear

**Analysis Pg. No.** 1152

**Budget Page No.** 144

Expenditure Summary	Agency Request FY 2017	Governor Recommendation FY 2017	Senate Subcommittee Adjustments
Operating Expenditures:			
State General Fund	\$ 126,609,753	\$ 96,706,812	\$ 8,627,002
Other Funds	33,053,925	32,843,820	0
Subtotal	<u>\$ 159,663,678</u>	<u>\$ 129,550,632</u>	<u>\$ 8,627,002</u>
Capital Improvements:			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	0	0	0
Subtotal	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>
 TOTAL	 <u><u>\$ 159,663,678</u></u>	 <u><u>\$ 129,550,632</u></u>	 <u><u>\$ 8,627,002</u></u>
 FTE positions	 1,899.3	 1,899.3	 0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
TOTAL	<u><u>1,899.3</u></u>	<u><u>1,899.3</u></u>	<u><u>0.0</u></u>

### Agency Request

The **agency** requests \$159.7 million, including \$126.6 million from the State General Fund, an all funds increase of \$10.6 million, or 7.1 percent, above the FY 2016 agency request. The request is a State General Fund increase of \$7.1 million, or 5.9 percent, above the FY 2016 agency request.

The State General Fund increase is within salaries and wages and is attributable to increased expenditures for the enhancement requests continued from FY 2016 (\$452,431), the 27th payroll contribution (\$5.2 million) in that fiscal year, public employee retirement (\$1.1 million), and other fringe benefits (\$367,816). There is approximately \$1.0 million in additional salaries and wages expenditures which are not specifically identified.

The special revenue fund increase is attributable to implementation of the e-courts program. The funding from FY 2016 to FY 2017 increases by \$3.8 million to \$5.4 million. The increase is partially offset by reduced expenditures from the Docket Fee Fund from due to a continued reduction in projected revenue (\$204,334). The federal state court improvement program is also projected to experience a reduction of \$55,308.

## **Governor's Recommendation**

The **Governor** recommends expenditures of \$129.6 million, including \$96.7 million from the State General Fund, an all funds reduction of \$30.1 million, or 18.9 percent, and a State General Fund reduction of \$29.9 million, or 23.6 percent, below the FY 2017 Judicial Branch request.

The State General Fund reduction is attributable to the following items.

- A reduction of \$10.6 million for agency enhancement request.
- A reduction of \$8.2 million in State General fund monies requested by the Judicial Branch to offset declining docket fee revenue.
- A reduction of \$2.9 million to fill vacant positions.
- A reduction of \$5.2 million for the 27th payroll for that fiscal year.
- 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.
- A reduction of \$1.3 million for employer contributions for state employee retirement.

## **Senate Subcommittee Recommendation**

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

1. Add \$3,176,000, all from the State General Fund, to offset lower than anticipated revenue in the Docket Fee fund for FY 2017. 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 2016 to FY 2017 rather than 4.5 percent in the original Judicial Branch estimate.
2. Add \$4,123,600, all from the State General Fund, to fund the 27<sup>th</sup> payroll costs for FY 2017.
3. Add \$648,204, all from the State General Fund, to offset lower than anticipated revenue from DUI reinstatement fees for FY 2017.
4. Add \$371,528, all from the State General Fund, for other fringe benefit costs including longevity for FY 2017.
5. Add \$307,670, all from the State General Fund, for group health insurance costs for FY 2017.

**Senate Ways and Means Committee Recommendation**

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

1. Delete \$3,176,000, all from the State General Fund, to offset lower than anticipated revenue in the Docket Fee fund for FY 2017 and review at Omnibus.
2. Delete \$4,123,600, all from the State General Fund, to fund the 27<sup>th</sup> payroll costs for FY 2017 and review at Omnibus.
3. Delete \$648,204, all from the State General Fund, to offset lower than anticipated revenue from DUI reinstatement fees for FY 2017 and review at Omnibus.
4. Delete \$371,528, all from the State General Fund, for other fringe benefit costs including longevity for FY 2017 and review at Omnibus.
5. Delete \$307,670, all from the State General Fund, for group health insurance costs for FY 2017 and review at Omnibus.

**House Budget Committee Report**

**Agency:** Judicial Branch

**Bill No.** HB 2365

**Bill Sec.** 3

**Analyst:** Dear

**Analysis Pg. No.** 1152

**Budget Page No.** 144

Expenditure Summary	Agency Request FY 2017	Governor Recommendation FY 2017	House Budget Committee Adjustments
<b>Operating Expenditures:</b>			
State General Fund	\$ 126,609,753	\$ 96,706,812	\$ 11,020,083
Other Funds	33,053,925	32,843,820	0
Subtotal	<u>\$ 159,663,678</u>	<u>\$ 129,550,632</u>	<u>\$ 11,020,083</u>
<b>Capital Improvements:</b>			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	0	0	0
Subtotal	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>
<b>TOTAL</b>	<u><u>\$ 159,663,678</u></u>	<u><u>\$ 129,550,632</u></u>	<u><u>\$ 11,020,083</u></u>
FTE positions	1,899.3	1,899.3	0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
<b>TOTAL</b>	<u><u>1,899.3</u></u>	<u><u>1,899.3</u></u>	<u><u>0.0</u></u>

## Agency Request

The **agency** requests \$159.7 million, including \$126.6 million from the State General Fund, an all funds increase of \$10.6 million, or 7.1 percent, above the FY 2016 agency request. The request is a State General Fund increase of \$7.1 million, or 5.9 percent, above the FY 2016 agency request.

The State General Fund increase is within salaries and wages and is attributable to increased expenditures for the enhancement requests continued from FY 2016 (\$452,431), the 27th payroll contribution (\$5.2 million) in that fiscal year, public employee retirement (\$1.1 million), and other fringe benefits (\$367,816). There is approximately \$1.0 million in additional salaries and wages expenditures which are not specifically identified.

The special revenue fund increase is attributable to implementation of the e-courts program. The funding from FY 2016 to FY 2017 increases by \$3.8 million to \$5.4 million. The increase is partially offset by reduced expenditures from the Docket Fee Fund from due to a continued reduction in projected revenue (\$204,334). The federal state court improvement program is also projected to experience a reduction of \$55,308.

## Governor's Recommendation

The **Governor** recommends expenditures of \$129.6 million, including \$96.7 million from the State General Fund, an all funds reduction of \$30.1 million, or 18.9 percent, and a State General Fund reduction of \$29.9 million, or 23.6 percent, below the FY 2017 Judicial Branch request.

The State General Fund reduction is attributable to the following items.

- A reduction of \$10.6 million for agency enhancement request.
- A reduction of \$8.2 million in State General fund monies requested by the Judicial Branch to offset declining docket fee revenue.
- A reduction of \$2.9 million to fill vacant positions.
- A reduction of \$5.2 million for the 27th payroll for that fiscal year.
- 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.
- A reduction of \$1.3 million for employer contributions for state employee retirement.

### **House Budget Committee Recommendation**

The **Budget Committee** concurs with the Governor's recommendation in FY 2017 with the following adjustments:

1. The Budget Committee recommends that the Legislature enact 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 2017.
4. Add \$4,453,050, all from the State General Fund, to offset lower than anticipated revenue in the Docket Fee fund for FY 2017.
5. Add \$4,123,600, all from the State General Fund, to fund the 27<sup>th</sup> payroll costs for FY 2017.
6. Add \$648,204, all from the State General Fund, to offset lower than anticipated revenue from DUI reinstatement fees for FY 2017.
7. Add \$1,423,701, all from the State General Fund, for KPERS employer contribution increases for FY 2017.
8. Add \$371,528, all from the State General Fund, for other fringe benefit costs including longevity for FY 2017.

### **House Committee Recommendation**

The **Committee** concurs with the Budget Committee recommendation in FY 2017 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 \$1.4 million, all from the State General Fund, for KPERS employer contribution increases for FY 2017.
2. Add \$3.9 million, all from the State General Fund, to offset lower than anticipated revenue in the Docket Fee fund for FY 2017.
3. Add \$648,204, all from the State General Fund, to offset lower than anticipated revenue from DUI reinstatement fees for FY 2017.
4. Add \$307,670, all from the State General Fund, for health insurance employer contribution increases for FY 2017.
5. Add \$371,528, all from the State General Fund, for other fringe benefit costs including longevity for FY 2017.
6. Add \$200,000, all from the Permanent Families Account, to increase funding for the Court Appointed Special Advocate (CASA) program for FY 2017.
7. Add \$4.1 million, all from the State General Fund, to fund the 27th payroll costs for FY 2017.
8. Delete \$2,095,458, including \$1,775,341 from the State General Fund, to reduce the Kansas Public Employees Retirement System employer contribution rate from 13.57 percent to 10.81 percent for FY 2017. This implements the provisions of SB 228.

	Governor's Recommendation FY 2017	Legislative Action	Legislative Approved FY 2017	Governor's Vetoed FY 2017	Final Legislative Approved FY 2017
All Funds					
State Operations	\$ 128,521,995	\$ 8,658,295	\$ 137,180,290	\$ 0	\$ 137,180,290
Aid to Local Units	165,915	0	165,915	0	165,915
Other Assistance	862,722	200,000	1,062,722	0	1,062,722
Subtotal- Operations	\$ 129,550,632	\$ 8,858,295	\$ 138,408,927	\$ 0	\$ 138,408,927
Capital Improvements	0	0	0	0	0
TOTAL	\$ 129,550,632	\$ 8,858,295	\$ 138,408,927	\$ 0	\$ 138,408,927
State General Fund					
State Operations	\$ 96,706,812	\$ 8,978,412	\$ 105,685,224	\$ 0	\$ 105,685,224
Aid to Local Units	0	0	0	0	0
Other Assistance	0	0	0	0	0
Subtotal-Operating	\$ 96,706,812	\$ 8,978,412	\$ 105,685,224	\$ 0	\$ 105,685,224
Capital Improvements	0	0	0	0	0
TOTAL	\$ 96,706,812	\$ 8,978,412	\$ 105,685,224	\$ 0	\$ 105,685,224
FTE Positions	1,899.3	0.0	1,899.3	0.0	1,899.3
Non-FTE Unclass. Perm. Pos.	0.0	0.0	0.0	0.0	0.0
TOTAL	1,899.3	0.0	1,899.3	0.0	1,899.3