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FISCAL IMPACT REPORT

SPONSOR Rawson DATE TYPED 2/9/05 HB _____

SHORT TITLE Third Judicial District Additional Staff SB 665

ANALYST McSherry

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY05	FY06	FY05	FY06		
NFI	\$374.4	NFI	Indeterminate	Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

Senate Bill 655 partially duplicates the LFC recommendation and executive recommendation for the General Appropriation Act.

SOURCES OF INFORMATION

LFC Files
Administrative Office of the Courts (AOC)

SUMMARY

Synopsis of Bill

Senate Bill 655 appropriates \$374.4 thousand from the general fund to the Administrative Office of the Courts (AOC) for the Third Judicial District Court for the purpose of funding seven full-time positions. The positions proposed are “specialists” and for “financial and administrative activities” for the third judicial district. Any unexpended or unencumbered balance remaining at the end of fiscal year 2006 shall revert to the general fund.

Significant Issues

AOC asserts that the funds should be appropriated to the Third Judicial District Court rather than AOC. AOC states further that the judiciary identified these seven positions as being critical to the efficient operation of the courts for the third judicial district, along with other positions for the judiciary.

The LFC recommendation for the Third Judicial District Court includes funding (\$191.4 thousand) and FTE for three judicial specialists and a pro se administrative assistant, 4 of the 7 positions requested in this bill.

The executive recommendation includes funding (\$53.4 thousand) for one of the proposed FTE, a domestic violence judicial supervisor.

PERFORMANCE IMPLICATIONS

The district court is participating in performance-based budgeting.

AOC asserts that staff changes should improve the approved output performance measures of the court. However, AOC also asserts that performance would decrease without the proposed expansions (see below, “what would be the consequences of not enacting this bill”).

FISCAL IMPLICATIONS

The appropriation of \$374.4 thousand contained in this bill is a recurring expense to the general fund. Any unexpended or unencumbered balance remaining at the end of 2006 shall revert to the general fund.

A portion of the proposed funding is included in both the executive and LFC recommendations (see conflict/duplication/companionship/relationship).

AOC states that the proposed funding is sufficient for the proposed positions. AOC reports that total recurring costs would be \$342,200 for salaries, benefits, office supplies, and operating costs, which would leave \$32.2 thousand in one-time expenses.

ADMINISTRATIVE IMPLICATIONS

AOC asserts that the expansion included in this bill would accomplish the aims of the judiciary’s unified budget for the third judicial district court.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

4 expansion FTE and \$191.4 thousand proposed in SB 655 are included in the LFC budget recommendation. 1 expansion FTE and \$53.4 thousand proposed in SB 655 are included in the executive budget recommendation.

ALTERNATIVES

AOC suggests deleting “administrative office of the courts” on line 17 and replacing it with “third judicial district court.”

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL?

AOC asserts that the third judicial district will not have adequate funding to support the current level of court operations.

The court would continue with the current level of FTE and the District’s budget would be proposed with one additional FTE in the executive recommendation and 4 FTE in the LFC recommendation.

POSSIBLE QUESTIONS

Why would the current level of court operations decrease without the enactment of this bill? Are other funds expected to be lost?

EM/yr