

msd

PREPARED BY: Doug Nichols  
DATE PREPARED: February 9, 2011  
PHONE: 471-0052

LB 451

Revision: 00

# FISCAL NOTE

LEGISLATIVE FISCAL ANALYST ESTIMATE

## ESTIMATE OF FISCAL IMPACT – STATE AGENCIES \*

	FY 2011-12		FY 2012-13	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS	(162,481)		0	
CASH FUNDS	(5,600)		4,400	
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS	(168,081)		4,400	

\*Does not include any impact on political subdivisions. See narrative for political subdivision estimates.

This bill would change court fees, procedures, offices, and judgeships.

This bill delays the District Court Judgeship in Lancaster County from July 1, 2011, to July 1, 2012. This will delay expenditures for this judgeship until FY2012-13. The fiscal impact was calculated as follows:

ITEMS	FY2011-2012	FY2012-2013
Appropriation		
<b>Appropriations Committee Preliminary Recommendation:</b>		
Additional District Court Judge		
Salary and Benefits, Pgm 6 (Salary = \$132,053)	162,481	162,760
Travel and Conference Expenses, Pgm 52	4,700	1,200
Laptop, Pgm 570	900	0
TOTAL	168,081	163,960
By Fund Source:		
General	162,481	162,760
Cash	5,600	1,200
TOTAL	168,081	163,960
<b>LB451:</b>		
Additional District Court Judge (July 1, 2012)		
Salary and Benefits, Pgm 6	0	162,760
Travel and Conference Expenses, Pgm 52	0	4,700
Laptop, Pgm 570	0	900
TOTAL	0	168,360
By Fund Source:		
General	0	162,760
Cash	0	5,600
TOTAL	0	168,360
Difference:		
By Fund Source:		
General	(162,481)	0
Cash	(5,600)	4,400
TOTAL	(168,081)	4,400

Table notes:

"Appropriations Committee Preliminary Recommendation". This is the amount currently in the budget for the additional district court judge. The reason this amount is in the Preliminary Recommendation is because it is current law (LB35, 2009).

"Salary and Benefits, Pgm 6". The reason FY2012-2013 is higher is because of the increase in FICA maximum taxable wage base.

The Supreme Court's response follows:

Section 2 of LB 451 delays implementation of an additional district court judge in the third judicial district by one fiscal year. Based on the fiscal note for LB 35, 2009 that established this judicial position, the fiscal impact in FY12-13 would be approximately \$240,200 General, \$4,700 Cash.

[Legislative Fiscal Office analyst (LFO) note: The General Fund appropriation noted here included funding for a Court Reporter which was not in the Supreme Court's budget request and consequently was not included in the Appropriations Committee Preliminary Recommendation.]

Section 12 states that a court may enter a decree of dissolution of a marriage without a hearing upon certain conditions being met. This may reduce the number of hearings needed and judicial workload, however, any impact is not estimated to be significant.

Several sections of LB 451 authorize the Supreme Court to take certain actions such as use non-General Funds for interpreter services, allow a county or district court to process the workload of the other court, and appoint judicial hearing officers. The authorization does not create a fiscal impact. However, depending upon which options were implemented, expenditures from General and non-General fund sources could increase or decrease. At this time, it is not possible to estimate the fiscal impact.

DEPARTMENT OF ADMINISTRATIVE SERVICES

REVIEWED BY	Joe Wilcox	DATE	2/10/11	PHONE	471-2526
COMMENTS					
SUPREME COURT: The Supreme Court Budget Request Issue for an additional District Judge in FY 2011-12 reflects a cost of \$168,081 for salaries, benefits and operating costs for the new judge (\$162,481 General Funds, \$5,600 Cash Funds). This would be the savings if the additional judge were not added until FY 2012-13. The agency does not make an estimate of the impact of other actions to reduce General Funds. like using cash for Interpreter Services.					

RECEIVED

2011

FEB 09 2011

LEGISLATIVE FISCAL

Please complete ALL (5) blanks in the first three lines.

LB<sup>(1)</sup> 451 FISCAL NOTE

State Agency OR Political Subdivision Name: <sup>(2)</sup> Supreme Court

Prepared by: <sup>(3)</sup> Eric Asboe

Date Prepared: <sup>(4)</sup> 2/7/11

Phone: <sup>(5)</sup> 1-4138

**ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION**

	<u>FY 2011-2012</u>		<u>FY 2012-2013</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	_____	_____	_____	_____
CASH FUNDS	_____	_____	_____	_____
FEDERAL FUNDS	_____	_____	_____	_____
OTHER FUNDS	_____	_____	_____	_____
TOTAL FUNDS	=====	=====	=====	=====

**Return by date specified or 72 hours prior to public hearing, whichever is earlier.**

**Explanation of Estimate:**

Section 2 of LB 451 delays implementation of an additional district court judge in the third judicial district by one fiscal year. Based on the fiscal note for LB 35, 2009 that established this judicial position, the fiscal impact in FY12-13 would be approximately \$240,200 General, \$4,700 Cash.

Section 12 states that a court may enter a decree of dissolution of a marriage without a hearing upon certain conditions being met. This may reduce the number of hearings needed and judicial workload, however, any impact is not estimated to be significant.

Several sections of LB 451 authorize the Supreme Court to take certain actions such as use non-General Funds for interpreter services, allow a county or district court to process the workload of the other court, and appoint judicial hearing officers. The authorization does not create a fiscal impact. However, depending upon which options were implemented, expenditures from General and non-General fund sources could increase or decrease. At this time, it is not possible to estimate the fiscal impact.

**MAJOR OBJECTS OF EXPENDITURE**

**Personal Services:**

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2011-2012 EXPENDITURES</u>	<u>2012-2013 EXPENDITURES</u>
	<u>11-12</u>	<u>12-13</u>		
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____