

Updated to reflect amendments adopted through May 20, 2009.

**FISCAL NOTE**  
**LEGISLATIVE FISCAL ANALYST ESTIMATE**

<b>ESTIMATE OF FISCAL IMPACT – STATE AGENCIES *</b>				
	<b>FY 2009-10</b>		<b>FY 2010-11</b>	
	<b>EXPENDITURES</b>	<b>REVENUE</b>	<b>EXPENDITURES</b>	<b>REVENUE</b>
GENERAL FUNDS				
CASH FUNDS	800,000	810,000	1,045,000	810,000
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS	800,000	810,000	1,045,000	810,000

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

This bill, as amended, would replace the original provisions of LB 35 with provisions of several court related bills. There are various operative dates in the bill.

The amended bill would change provisions relating to courts. The Supreme Court states that this provision will improve court operations. Certain judgments (garnishments) would no longer have to be filed in two separate counties if the person lives in one county but works in another county. The Supreme Court estimates that this will reduce workload and it could also reduce cash fund filing fees by \$280,000 per year.

The amended bill would increase the Court Automation Fee from \$6 to \$8. The Supreme Court estimates a range of \$390,000 to \$415,000 for every dollar increase in this fee. This fiscal note will use \$400,000 for every dollar increase in this fee, for a total fee increase of \$800,000 per year. The "A" bill appropriates \$800,000 per year to the Supreme Court for automation projects.

The amended bill would increase the Law Enforcement Improvement Fund (LEIF) fee to \$2. The LEIF fee is a court cost taxed on criminal proceedings, and it is currently \$1. It is estimated that this increase in the LEIF fee will bring in \$290,000 per year. These cash fund revenues are deposited into the Law Enforcement Improvement Fund, and are used to pay a portion of the costs of operating the Nebraska Law Enforcement Training Center (training center) in Grand Island. General Funds are also used.

Because the training center uses a General-cash fund mix to pay for its operating costs, there will be a General Fund savings in the next biennium of \$290,000 per year. There is no General Fund savings this biennium because of the way in which the training center's budget was put together. Instead of using General Funds to pay for the increased charges for rent and depreciation of \$245,000, surplus cash funds from LEIF were used. Rent and depreciation charges are simply pass-through costs that the training center pays to DAS Building Division.

Additionally, cash funds were only used in FY09-10 because there were not sufficient surplus funds for FY10-11. Therefore, the "A" bill appropriates cash funds only in FY10-11 to the training center in the amount of \$245,000, the amount for rent and depreciation.

In the next biennium, the General Funds for the training center will be reduced by \$290,000, and the cash fund appropriation will be increased by the same amount.

The net impact of the cash fund revenue decrease of \$280,000 and the increase of \$800,000 and \$290,000 is \$810,000.

This amended bill also transfers the administration of the Civil Legal Services Program from the State Court Administrator to the Commission on Public Advocacy. This provision will not have a fiscal impact since it merely moves the administration of the Civil Legal Services Program from the State Court Administrator to the Commission on Public Advocacy.

The amended bill would create one new district court judgeship in Lancaster County on July 1, 2011. The amounts used in this fiscal note reflect the 2.5% salary increase in both FY2009-10 and FY2010-11 for the district court judge and the court reporter. The bills that increase the salary have now become law: The judges' salary increase bill was LB414 and the court reporters salary increase was included in the mainline budget bill, LB315.

The following table shows the estimated impact in the next biennium:

	FY2011-2012	FY2012-2013
ITEMS		
1.0 FTE District Court Judge	132,053	132,053
1.0 FTE Court Reporter	53,766	53,766
Benefits	53,499	53,499
Travel for Education	4,700	1,200
Capital Improvements - Laptop for Judge	900	0
Total	244,917	240,517
By Fund Source:		
GENERAL FUNDS	240,217	239,317
CASH FUNDS	4,700	1,200
TOTAL FUNDS	244,917	240,517

IMPACT ON POLITICAL SUBDIVISIONS: The amended bill also includes provisions that change various sheriff's fees. This will increase fee revenue to those affected political subdivisions.