

Senate Fiscal Agency  
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**SFA**



**BILL ANALYSIS**

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<b>FY 1998-99 Year-to-Date Gross Appropriation .....</b>	<b>\$215,432,400</b>
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**Changes from FY 1998-99 Year-to-Date:**

Items Included by the Senate and House

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|---|-----------|
| 1. <b>Court of Appeals - Delay Reduction.</b> The budget includes a reduction of 10.0 FTE/\$550,000 GF/GP to the 22.0 FTE/\$1,500,000 FY 1998-99 line item appropriation.   | (550,000) |
| 2. <b>State Officers Compensation Commission (SOCC).</b> Determinations made by the SOCC in December 1998 increased the salaries of Supreme Court Justices by 8.0% in 1999 and 4.5% in 2000. Other judges are statutorily set at a percentage of a Justice's salary.  | 5,696,100 |
| 3. <b>Judges' Defined Contribution Retirement.</b> Amount based on updated estimates.   | 2,204,900 |
| 4. <b>Economic Adjustments.</b>   | 2,249,800 |
| 5. <b>Other Changes.</b> Other changes include statutory \$4,000,000 transfer from the Hold Harmless Fund to the Court Equity Fund, \$348,300 GF/GP for actual Social Security costs, a funding shift of \$318,400 from Court Fee Fund revenue to GF/GP, \$1,073,600 in additional Federal, Restricted, and private funding sources, \$146,000 for improving processing of child abuse and neglect cases, \$487,500/6.0 FTEs for direct trial court automation support, \$72,900 to provide training regarding alternative methods for resolving disputes, \$234,200 to support 2.0 FTE positions in the Office of the Chief Justice, \$150,000 based on a proposed increase in law exam fees (from \$175 to \$325), and \$4,300 for a rent adjustment. | 2,516,800 |

Conference Agreement on Items of Difference

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| 6. <b>Community Dispute Resolution Program (CDRP).</b> The Senate included \$400,000 GF/GP over the Governor's recommendation for CDRP Centers to provide a minimum level of support. The House provided \$100,000 over the Senate. The Conference Committee reduced General Fund support to \$72,000.   | 72,000      |
| 7. <b>Appellate Public Defender Program.</b> The Governor's recommendation included a reduction of 15.0 FTE/\$1,000,000 GF/GP to the Appellate Public Defender Program. The Senate restored the \$1,000,000 and included \$500,000 of the restoration in a separate line item. The House added an additional \$250,000 to the current year line item but did not concur with the \$500,000 separate line item. The House instead used the \$500,000 for a new reimbursement line for local indigent criminal appellate costs. The Conference Committee concurred with the Governor on the \$1,000,000 reduction to the current year line item and included \$508,300 in a separate line item for the Appellate Defender. | (1,000,000) |
| * <b>The Governor vetoed the \$508,300 separate line item.</b>   |             |

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Total Changes .....	\$11,189,600
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<b>FY 1999-2000 Enacted Gross Appropriation .....</b>	<b>\$226,622,000</b>
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**\*Vetoed by the Governor**

**Changes from FY 1998-99 Year-to-Date:**Items Included by the Senate and House

1. **Contingency Funds.** The Governor, Senate, and House included new contingency fund authorization as follows; \$500,000 Federal, \$500,000 Restricted, \$100,000 Local, and \$100,000 Private. (Sec. 206)
2. **Personal Service Contracts.** The Senate and House restored current year language removed by the Governor that requires monthly reports on all sole source contracts and personal service contracts awarded without competitive bidding, pricing, or rate setting, and required monthly reports on contracts of \$100,000 or more.
3. **Current Year Boilerplate Sections.** The Senate and House restored current year boilerplate language eliminated by the Governor, including; Buy American intent language, depressed and deprived communities, privatization projects, personal protection order forms, antinepotism policy, ABA case processing standards, and restrictions on indigent defense funds. (Sec. 204, 205, 208, 306, 307, 310, and 312)
4. **Other Changes.** The Senate and House included new language that provides for all reports required by this act to be made available to the public through the Internet, and language providing for biennial reports listing investigations and reports by the internal auditor. (Sec. 209, 210)

Conference Agreement on Items of Difference

5. **Reimbursement Accountability Grant.** The Senate included new language that withholds 10 percent of the judicial budget until the Auditor General certifies that the Supreme Court has taken all necessary steps to prevent improper reimbursement for certain functions. The House eliminated subsection b and modified the language by also excluding reimbursement for conferences. The Conference Committee eliminated this section.
6. **Travel Policy.** The House restored language eliminated by the Governor and Senate that required the Supreme Court to adopt the most efficient and cost-effective method for travel. The Conference Committee concurred with the Senate.
7. **Intent Language Regarding Court Rules.** The Governor removed language that urged the Supreme Court to examine court rules and consider changes that would allow candidates for judge to express opinions on political issues and also allow judges to preside over cases even though they have publicly expressed political opinions on issues generally related to a case. The Senate restored the language. The House eliminated the language. The Conference Committee concurred with the Senate. (Sec. 321)
8. **State Appellate Defender Office (SADO).** The Senate added language that freezes the salaries of the top three SADO administrative positions at FY 1998-99 levels. The House and Conference Committee eliminated the language.
9. **Community Dispute Resolution (CDR) Funding.** The Senate added language that provides criteria for additional funding to CDR Centers. The Senate language did not provide funding to centers that currently receive \$64,500 or more from State restricted revenue. The House modified the language by eliminating the \$64,500 limit, distributing the funds partially based on a minimum level of funding, and distributing the balance to all centers based on performance criteria. The Conference Committee included language to provide for a minimum level of \$15,000 in State funds for each center. (Sec. 315)
10. **Local Indigent Appellate Counsel.** The House included new language that requires the State Court Administrative Office, the Michigan Association of Counties, and the fiscal agencies, to develop a formula for distribution of funding to counties for indigent criminal appellate costs. The Conference Committee eliminated this section.
11. **SADO Audit.** Requires the Auditor General to perform an audit to ensure program effectiveness, efficiencies, and compliance with State law. The Conference Committee included an analysis of salaries. (Sec. 319)
12. **Leadership Agreement.** The Conference Committee included Leadership Agreement on language sections for Year 2000 Compliance and receiving and retaining reports. (Sec. 317, 209a)

Date Completed: 7/27/99

Fiscal Analyst: B. Bowerman