



Senate Fiscal Agency
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BILL ANALYSIS



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Senate Bill 275 (S-2 as passed by the Senate)
Committee: Appropriations

FY 2004-05 Year-to-Date Gross Appropriation	\$253,216,700
Changes from FY 2004-05 Year-to-Date:	
1. Justices and Judges Compensation. The Governor and Senate recognize a decrease in judgeships that took place in FY 2004-05, increased retirement costs for judges who are part of the defined contribution system, potential increases in social security costs for judges, and the increased costs of statutory changes converting two part-time probate judges to full-time judges in March 2005.	417,600
2. Trial Court Operations. The Governor proposes using increased state restricted revenues from the 2003 judicial fee increases to replace \$2,131,200 in GF/GP funds for Court Equity Fund Reimbursements as well as to increase the total appropriation by \$1.5 million. The Senate uses the additional state restricted revenue to decrease the GF/GP by an additional \$1.5 million and further reduces the line by \$500,000.	(500,000)
3. Drug Treatment Courts. The Governor and Senate recommend using increased state restricted revenues from the 2003 judicial fee increases to replace \$132,200 in GF/GP funds for drug courts and to increase the total appropriation for the line by \$100,000.	100,000
4. Indigent Civil Legal Assistance. The Governor and Senate recognize additional state restricted funds available from the 2003 judicial fee increases.	600,000
5. State Court Administrative Office. The Governor and Senate recognize additional state restricted funds available from the 2003 judicial fee increases.	120,000
6. Federal Grant Reduction. The Governor and Senate recognize the elimination of three Federal grants which supported the development of the statewide judicial telecommunications network as well as Work First programs for non-custodial parents through local friend of the court offices.	(2,185,300)
7. Court of Appeals Fee Reduction. The Governor recognizes the sunset on certain fee increases for the Court of Appeals as well as increased collection of other fee revenue and decreases the line by a total of \$25,000. The Senate adds \$87,500 in anticipation of an extension of the fee increases.	62,500
8. Office Rent/Lease Changes. The Governor and Senate include rate increases in lease agreements totaling \$41,500 for the State Appellate Defender's Office and the MAACS Office while also recognizing \$52,300 in savings from the upcoming closure of the Traverse City office of Supreme Court Justice Weaver due to her resignation.	(10,800)
9. FY 2004-05 Employee Concessions. The Governor recognizes the end of employee concessions and restores \$1,496,900 to the base. The Senate eliminates this increase.	0
10. Economic Adjustments. The Governor recommends \$2,498,700 in increases for insurances, retirement, and building occupancy charges as well as savings in workers compensation. The Senate reduces this by \$854,900.	1,643,800
11. Comparison to Governor. The Senate recommendation is \$4,264,300 Gross and \$4,177,600 GF/GP below the Governor's recommendation.	
Total Changes.....	\$247,800
FY 2005-06 Senate Gross Appropriation	\$253,464,500

Changes from FY 2004-05 Year to Date:

1. **Communication with the Legislature.** The Senate adds language prohibiting the Judiciary from taking disciplinary action against an employee for communicating with a member of the legislature or their staff. (Section 204)
2. **Privatization.** The Governor and Senate delete a section requiring a privatization plan and evaluation. (Section 207)
3. **Personal Service Contracts.** The Governor and Senate delete a reporting requirement on personal service contracts awarded without competitive bidding and personal service contracts of \$100,000 or more. (Section 211)
4. **Report Retention.** The Governor and Senate delete a requirement that the Judiciary follow Federal and State guidelines for retention of reports and records funded from appropriations in part 1. (Section 212)
5. **Buy American.** The Governor deletes language giving preference to American and Michigan goods and services if they are competitively priced and of comparable quality. (Section 214) The Senate retains this section.
6. **Contingency Funds.** The Governor adds language allowing the transfer of contingency funds of up to \$500,000 in Federal funds, \$500,000 in State restricted funds, \$100,000 in local funds, and \$100,000 in private funds. (Section 216) The Senate deletes this section.
7. **Cooperation with Auditor General.** The Governor and Senate delete a requirement that the Judiciary cooperate with the Auditor General regarding audits. (Section 304)
8. **Account Status Reports.** The Governor and Senate delete quarterly reporting requirements on the status of accounts in order to avoid over-expenditures. (Section 305)
9. **Court of Appeals Delay Reduction.** The Governor amends this section to delete the reference to fee revenue from fee increases which will statutorily sunset as of September 30, 2005. (Section 307) The Senate retains current language in anticipation of an extension of the fee increases.
10. **Judicial Technology Improvement Fund (JTIF).** The Governor and Senate delete the section describing appropriate expenditures of funds from the JTIF. (Section 313)
11. **Mental Health Courts.** The Governor and Senate delete a requirement that the State Court Administrative Office assist local courts in obtaining Federal funding for mental health courts if it were to become available. (Section 314)
12. **Information Technology.** The Governor and Senate delete language encouraging communication between the Judiciary and the Department of Information Technology regarding information technology activities. (Section 315)
13. **Transcript Fee Reimbursement.** The Governor deletes language requiring that funds appropriated for transcript fee reimbursement be disbursed to counties to compensate for costs incurred in the event of a statutory increase in court transcript fee maximums. (Section 317) The Senate retains this language.

Date Completed: June 17, 2005

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