

**MINUTES OF THE SENATE COMMITTEE ON WAYS AND MEANS.**

The meeting was called to order by Senator August "Gus" Bogina, Chairperson, at 11:08 a.m. on February 18, 1992 in Room 123-S of the Capitol.

All members were present except:

No one was absent

Conferees appearing before the committee:

None

The Chairman requested that subcommittee members consider the suggestions contained within Attachment 1.

**INTRODUCTION OF BILLS**

Senator Gaines moved, Senator Doyen seconded, the introduction of bill draft 1 RS 2573 as requested by the Governor. The motion carried on a voice vote.

SB 495 - Appropriations for FY93, judicial council, state board of indigents' defense services, judicial branch.

**JUDICIAL BRANCH**

Senator Salisbury reviewed the subcommittee report for FY93, Attachment 2. In answer to a question, she noted that the subcommittee reviewed the travel request by the appellate court, but made no recommendation.

The Chairman pointed out that the Governor includes in all the appropriations bills a recommendation for a 2.5% step movement salary adjustment, a 2.5% increase in merit pools and longevity for classified and unclassified state employees, for all Regents, for the Governor, and for elected officials and legislators. Senator Salisbury noted that the subcommittee had reviewed judicial salaries, but felt that SB 257 (providing for a percentage increase in annual salaries of justices and judges) had been approved by the Senate and that the subcommittee believed that the judicial branch should be treated likewise. Senator Kerr explained that the Chief Justice and Chief Judge of the Court of Appeals had emphasized the need for reinstating nonjudicial personnel. He expressed his belief that the positions should be added in before allowing the 2.5% increases.

Senator Gaines queried about the amount of money that would be involved if salaries were frozen for one year. Senator Bogina answered that \$19.8 million SGF savings (\$28.7 million all funds) would be realized by the deletion of the 2.5% salary increases, the 2.5% increase in merit pools, and longevity for all classified and unclassified employees, all Regents, the Judicial Branch, the Legislature, and elected officials. In answer to Senator Rock's question, it was stated that step movement is related to tenure only.

Senator Winter explained that he felt deleting the step movement would raise issues that deserve discussion before the decision is made. He reiterated that the funding of the step movement was a conscious decision made several years ago which either expressed a commitment to state employees or created an expectation within them. Senator Parrish concurred with Senator Winter, stating that the recommendation should be honored for the sake of employee morale and requested information regarding increased expenses of state employees, i.e., health care insurance. In answer to Senator Salisbury's question, Senator Bogina noted that the matrix would be adjusted or employees would be allowed to move up on the step scale but would not receive the salary in order to accommodate all state employees if the step movement is reduced or eliminated.

It was suggested that the state consider a lump sum payment as an alternative to wage adjustment.

Senator Gaines moved that the subcommittee report be amended by deleting the 2.5% in salary increases, the 2.5% increase in merit pools, and longevity for

all classified and unclassified employees, all Regents, the judicial branch, the Legislature, and elected officials. Senator Doyen seconded the motion, noting that he understood the motion to include all agencies and that the issue would be revisited later. The motion carried 7-6 on a show of hands.

Senator Kerr moved, Senator Doyen seconded, adoption of the subcommittee report as amended.

Senator Salisbury offered a substitute motion to further amend the subcommittee report by including a directive for the second House to reexamine the Judicial Branch's request for increases in salaries and wages to fund 53 FTE new nonjudicial positions. The substitute motion carried.

Senator Kerr again moved and Senator Doyen seconded adoption of the subcommittee report as amended. The motion carried.

#### **BOARD OF INDIGENTS' DEFENSE SERVICES**

Senator Dave Kerr reviewed the subcommittee report for FY93, Attachment 3. In addressing item 2, reducing assigned counsel expenditures, he noted that contrary to the Board's indication, he did not believe that the judicial and legal communities in Leavenworth County had been resistant to implementing contracts with private attorneys. He stated that he believed contracts could have been implemented if the Board had been sufficiently determined.

Senator Feleciano questioned whether there would be a cost savings through implementation of contracts with private attorneys. Senator Kerr noted that under the public defender system, 20-25% of the cases are reassigned to private attorneys anyway because of scheduling conflicts. He called attention to an option of the Leavenworth judiciary which calls for a panel of attorneys under contract for a set amount that would alleviate the problem of conflicts. He added that contrary to the Board's belief that this recommendation is an intermediate step, the subcommittee believes that it may work for a significant period of time.

Senator Kerr moved and Senator Hayden seconded that the subcommittee report as amended (by the elimination of the salary increases) be adopted. The motion carried on a voice vote.

#### **JUDICIAL COUNCIL**

The subcommittee report for FY93 on the Judicial Council (Attachment 4) was reviewed by Senator Moran. Senator Moran moved, Senator Feleciano seconded, that the subcommittee report be amended by including in the last paragraph the sentence "The subcommittee believes that to be a potential source of revenue for Judicial Council publications" and by striking the words "Kansas Benchbook" from item 3 and reinserting the words "PIK-Criminal." (The subcommittee report is amended by previous action to delete the salary increases.)

In answer to a question, Senator Moran stated that the subcommittee was unsure whether they had the statutory authority to introduce a bill authorizing the use of revenue in the Continuing Legal Education Commission or the Bar Discipline Fee Fund for the purpose of Judicial Council publications. The Chair asked staff to draft a letter to the Chief Justice asking what plans he has for these two funds and whether he has the authority to allow for a transfer of these two funds to the Judicial Council.

The motion to amend carried.

Senator Moran moved, Senator Feleciano seconded, adoption of the amended subcommittee report. The motion carried on a voice vote.

It was moved by Senator Gaines and seconded by Senator Doyen that SB 495 as amended be recommended favorable for passage. The motion carried on a roll call vote.

The Chairman adjourned the meeting at 12:10 p.m.



  
AUGUST BOGINA, JR., P.E.  
SENATOR, TENTH DISTRICT  
JOHNSON COUNTY  
5747 RICHARDS CIRCLE  
SHAWNEE, KS 66216

STATE OF KANSAS



TOPEKA

SENATE CHAMBER

STATE CAPITOL  
TOPEKA, KANSAS 66612

(913) 296-7362

COMMITTEE ASSIGNMENTS  
CHAIRMAN: WAYS AND MEANS  
VICE CHAIR: GOVERNMENTAL ORGANIZATION  
MEMBER: FINANCE COUNCIL  
LEGISLATIVE POST AUDIT

**M E M O R A N D U M**

**TO:** Senate Ways & Means Committee

**FROM:** Senator Bogina, Chairman

**DATE:** February 17, 1992

**RE:** Subcommittees

---

Since Senate Ways & Means subcommittees are small and members serve on many different committees, scheduling the meetings within our tight time schedule can be a problem. I'd like to suggest:

**Subcommittee Chairman** - Check with your members to find a mutually agreeable time before setting the meeting. The key is to schedule early. Even though your subcommittee meetings on **house bills** will not take place until after we receive the bills, you can schedule your meeting time and reserve a committee room now. Please inform your secretary that your subcommittee agendas cannot be printed in the calendar until after we have received the bills.

**Subcommittee Members** - Please place high priority on these meetings and make the time available.

We're on time now, thanks to all of you. I appreciate your hard work and cooperation.

SWAM  
Feb. 18, 1992  
Attachment 1

**SUBCOMMITTEE REPORT**

**Agency:** Judicial Branch

**Bill No.** 495

**Bill Sec.** 4

**Analyst:** Rothe

**Analysis Pg. No.** 255

**Budget Page No.** 350

<u>Expenditure Summary</u>	<u>Agency Req. FY 93</u>	<u>Gov. Rec. FY 93</u>	<u>Subcommittee Adjustments</u>
<b>State Operations:</b>			
State General Fund	\$ 61,368,499	\$ 58,329,069	\$ 24,298
Special Revenue Funds	1,716,888	1,717,787	--
<b>Total</b>	<u>\$ 63,085,387</u>	<u>\$ 60,046,856</u>	<u>\$ 24,298</u>
<b>FTE Positions:</b>			
Appellate Court Judges and Justices	17.0	17.0	--
District Court Judges	218.0	218.0	--
Nonjudicial Personnel	1,514.0	1,461.0	--
<b>Total</b>	<u>1,749.0</u>	<u>1,696.0</u>	<u>--</u>

**Agency Request/Governor's Recommendation**

The Judicial Branch requests a total of \$63,085,387 for FY 1993, an increase of \$3,766,680 (6.7 percent) above the FY 1992 estimate. The request includes \$60,347,276 for salaries (95.7 percent of the total request) and \$2,738,111 for OOE. The request includes 53.0 FTE new nonjudicial positions (\$1,325,837); longevity payments for eligible nonjudicial personnel (\$502,868); funding for temporary employees (\$428,957); a 2.5 percent salary increase for judicial personnel (\$381,340); step movement salary increases for nonjudicial personnel (\$905,723); nonjudicial personnel actions (\$96,805); and an FY 1993 turnover rate of 1.2 percent or a reduction in gross salaries of \$740,443.

The Governor recommends \$60,046,856 in FY 1993, a decrease of \$3,038,531 from the agency's request. The recommendation includes \$58,241,561 for salaries (a reduction of \$2,105,715) and \$1,805,295 for OOE (a reduction of \$932,816). The recommended reduction in salaries includes the deletion of 53.0 FTE requested new positions, a reduction of \$30,000 from temporary salaries, and a reduction of \$704,488 associated with an increase in the turnover rate to 2.4 percent compared to the requested rate of 1.2 percent. The Governor concurs with the request for a 2.5 percent unclassified salary increase and classified step movement and most of the requested salary upgrades. The Governor recommends an FTE position limitation of 1,696.0 for FY 1993. The 1991 Legislature removed the FTE position limitation for FY 1992.

**Senate Subcommittee Recommendation**

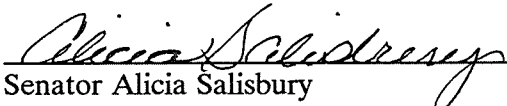
**FY 1992.** The Subcommittee concurs with the Governor's recommendation for FY 1992.

*SWAM  
February 18, 1992  
Attachment 2*

FY 1993. The Subcommittee concurs with the Governor's recommendation with the following adjustments:

1. Concur with Governor's Budget Amendment No. 1 which makes the following two technical adjustments: (a) Add \$64,684 from the State General Fund to provide a 2.5 percent salary increase for the 69 Magistrate Judges, as intended, and; (b) Delete \$90,386 from the State General Fund from salary upgrades for 31.5 FTE appellate attorneys -- the salary upgrades were not intended. The net change in expenditures as a result of GBA No. 1 is a reduction in expenditures of \$25,702 from the State General Fund.
2. Add \$35,000 from the State General Fund to finance a study to determine the computer automation needs of the Judicial Branch. According to a review by the Division of Information Systems and Communications (DISC), the current WANG computer (which is only compatible with the Governor's system) does not have sufficient capacity to provide word processing, office automation, and on-line inquiry capability to the Appellate Case Tracking System for all justices, judges and appropriate judicial center staff. DISC also states that the existing WANG system has become outdated, maintenance costs for it have increased (FY 1993 maintenance contract of \$69,000) reaching a level nearly five times that of the amount needed to purchase state-of-the-art technology. The Subcommittee notes that the Court may want to assess the cost effectiveness of continuing its maintenance contracts. Four applications have been identified by DISC, including an Appellate Clerk's System, an Attorney Registration System, a Trial Court Case Management System, and a Word Processing System. The Governor did not recommend the \$386,102 requested by the Judicial Branch for a new minicomputer for FY 1993. The Subcommittee believes it is time to begin addressing the computer automation needs of the Judicial Branch.
3. Add \$15,000 from the State General Fund for Law Library expenditures. Law Library expenditures of \$746,559 in FY 1991 compare with the FY 1992 estimate of \$687,722 in FY 1992 and \$763,124 recommended for FY 1993. Although the FY 1993 recommendation is \$16,565 above actual FY 1991 expenditures, most of the increase is for salaries (\$14,766). The Subcommittee notes the FY 1992 reduction in expenditures and recommends additional funds in FY 1993 to support the acquisition of subscriptions, legal materials and books.
4. The Subcommittee notes that S.B. 436, which passed the Senate Committee on Ways and Means and the Senate Committee of the Whole during the 1991 Session, was the subject of an interim study by the Special Committee on Judiciary. The bill would clarify the Supreme Court's authority to manage the state court system, and addresses judicial redistricting and the allocation of judicial and nonjudicial personnel. The Subcommittee believes that the courts have been restrained in financing Law Library upgrades, computer systems, appellate attorney salary upgrades, and the proper staffing of district court offices. In the current economy the Judicial Branch needs the flexibility provided by S.B. 436 to provide the most efficient court system possible. The Subcommittee recognizes that passage of S.B. 436 would not result in expenditure reductions in FY 1993, but that savings in future years could be realized.

5. The Subcommittee observes that the Governor's FY 1993 salary request for the Judicial Branch includes \$317,749 for a 2.5 percent salary increase for judicial personnel and \$905,723 for step movement salary increases for nonjudicial personnel. A proviso is included in the Judicial Branch appropriation bill (as it has in past years) specifically authorizing the 2.5 percent salary increase to judges and justices. Such proviso limits the ability of the Chief Justice to reallocate such funds to provide for a more efficient court system. S.B. 257 was passed by the Senate Committee on Ways and Means and the Senate Committee of the Whole during in 1991 Session, and awaits action by the House Committee on Appropriations. The Bill would expand the basis for indexing to include the estimated average percentage of step movement salary increases under the state pay plan for the classified service. Although the bill would eliminate the need for strict proviso language, the Chief Justice would still be limited in his ability to allocate limited resources.
  
6. The Subcommittee recommends that the FTE limitation for the Judicial Branch be eliminated. The Legislature recommended the deletion of the limitation for FY 1992 during the 1991 Session, but the Governor reimposed the limitation for FY 1993. The Subcommittee believes that the Court needs authority to manage its personnel in the most efficient manner possible.

  
 \_\_\_\_\_  
 Senator Alicia Salisbury  
 Subcommittee Chair

\_\_\_\_\_  
 Senator Bill Brady

  
 \_\_\_\_\_  
 Senator Dave Kerr

## SUBCOMMITTEE REPORT

**Agency:** Board of Indigents'  
Defense Services

**Bill No.** 495

**Bill Sec.** 3

**Analyst:** Rothe

**Analysis Pg. No.** 271

**Budget Page No.** 326

<u>Expenditure Summary</u>	<u>Agency Req. FY 93</u>	<u>Gov. Rec. FY 93</u>	<u>Subcommittee Adjustments</u>
State Operations:			
State General Fund	\$ 10,016,077	\$ 7,095,412	\$ (82,009)
Special Revenue Funds	180,769	302,978	--
Subtotal	<u>\$ 10,196,846</u>	<u>\$ 7,398,390</u>	<u>\$ (82,009)</u>
Other Assistance			
State General Fund	575,204	412,280	--
Total	<u><u>\$ 10,772,050</u></u>	<u><u>\$ 7,810,670</u></u>	<u><u>\$ (82,009)</u></u>
FTE Positions	170.0	80.0	(1.0)

### Agency Request/Governor's Recommendation

The Board's request for FY 1993 totals \$10,772,050, including \$10,196,846 for agency operations and \$575,204 for a grant to Legal Services for Prisoners, Inc. (LSP). The Board proposes reducing expenditures from the Indigents' Defense Services Fund from \$299,640 in FY 1992 to \$180,769 in FY 1993, and requests that the fund balances be used for contingencies. The FY 1993 request reflects a total increase of \$2,851,176 above the revised FY 1992 estimate. Most of the increase can be attributed to the agency's request for a Regional Defense Delivery Plan (\$2,765,558), including 78.0 FTE new positions; and 16.5 requested new FTE positions for existing agency operations (\$343,305). The agency requests a reduction in expenditures for assigned counsel of \$600,457 in FY 1993, assuming implementation of the Regional Defense Delivery Plan.

The Governor recommends total expenditures of \$7,398,390 for agency operations and \$412,280 for the grant to LSP. The Governor recommends expenditures of \$302,978 from the Indigents' Defense Services Fund and \$7,507,692 from the State General Fund. The Governor's recommendation does not include funding for the Regional Defense Delivery Plan. The Governor recommends \$71,644 for 4.5 FTE new clerical positions for existing offices. The Governor also recommends turnover savings of \$101,929 (3.5 percent) compared to the Board's requested rate of 2.0 percent.

### Senate Subcommittee Recommendation

**FY 1992.** The Subcommittee concurs with the Governor's recommendation for FY 1992.

*SWAM*  
*February 18, 1992*  
*Attachment 3*



FY 1993. The Subcommittee concurs with the Governor's recommendation with the following adjustments:

1. Delete \$15,822 (SGF) and the 1.0 FTE new Office Assistant position added by the Governor for the Appellate Defenders Office. The Subcommittee further recommends the addition of \$15,000 (SGF) to provide a microcomputer system for each of the 12 Attorneys assigned to the Appellate Defenders Office in Topeka, and to provide a minimum of three FAX machines to be distributed to the offices with the greatest need determined by the agency director. One state-owned computer is currently available to the attorneys who must deliver lengthy handwritten legal briefs to three existing clerical positions. The unique nature of this office (lengthy legal briefs and a very heavy typing load) provides an opportunity to discover whether the deletion of a needed fourth clerical position can be offset by a one-time expenditure to computerize the legal staff. The Subcommittee directs the agency to examine the effects of this demonstration project and to report its findings to the 1993 Legislative subcommittees. The results of the study can be used to determine whether to pursue computerization projects in other agency offices.
2. Reduce assigned counsel expenditures for Wyandotte County by \$52,493 (10 percent), for Leavenworth County by \$22,175 (15 percent), and for Finney County by \$18,519 (10 percent) for total savings of \$93,187 from the State General Fund. The reduction is based upon the implementation of contracts with private attorneys in the three counties. It is assumed that the Board will negotiate contracts based on costs less than the rates currently paid for assigned counsel. During the 1991 Legislative Session the Senate Subcommittee recommended the implementation of such contracts in the three counties. The House concurred with the recommendation for Finney and Leavenworth counties, but not for Wyandotte County. During its 1992 hearings, the Subcommittee learned that a contract in Finney County will probably be approved by the Board this spring (although savings were not taken into account in the Governor's recommendation for FY 1993), but that a contract in Leavenworth County is unlikely to be approved by the Board during FY 1992.

The Senate Subcommittee is disappointed with the lack of resolve shown by the Board in pursuing such contracts. The Subcommittee strongly supports the initiation of contracts with private counsel to provide representation to indigent defendants at a cost lower than currently paid by the state, and asserts the Legislative expectation that its recommendation will be followed.

3. Add \$12,000 from the State General Fund to provide for a pool of unspecified capital outlay. The Subcommittee heard testimony and reviewed documents indicating a serious lack of usable furniture and equipment assigned to the seven agency offices. The Governor's recommendation includes financing for file cabinets in the Wichita office and in the Appellate Defenders office in Topeka. The recommendation does not address the needs of offices which are increasingly being furnished out of the pockets of state employees to equip their offices with desks, chairs, file cabinets, computers, and book cases. Some essential equipment is simply old and worn out. Some of the equipment has never been provided by

the state for some of the offices. The Board surveyed the offices and developed an agencywide capital outlay request to adequately furnish each office. The request for Option One totals \$161,195, which includes 42 stand-alone computers in addition to other furniture, equipment and law books. The request for Option Two totals \$248,995, which includes 67 computers set up as a local area network. The Subcommittee believes it is time to begin addressing the agency's critical capital outlay needs.

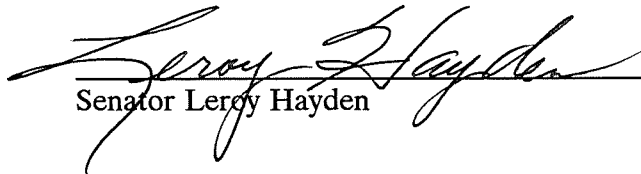
4. The Subcommittee notes that the agency's recoupment program has been increasingly successful in requiring certain indigent defendants to repay amounts expended by the state to provide legal representation for the defendant. The Governor's FY 1993 recommendation includes the addition of a 0.5 FTE clerical position to be assigned to the recoupment program. The amounts returned to the state and deposited in the State General Fund are shown below:

FY 1980	\$ 0
FY 1981	67
FY 1982	1,758
FY 1983	22,228
FY 1984	43,562
FY 1985	115,916
FY 1986	190,717
FY 1987	211,113
FY 1988	244,451
FY 1989	315,570
FY 1990	399,674
FY 1991	560,932




---

Senator Dave Kerr  
Subcommittee Chair




---

Senator Leroy Hayden

**SUBCOMMITTEE REPORT**

**Agency:** Judicial Council

**Bill No.** 495

**Bill Sec.** 2

**Analyst:** Rothe

**Analysis Pg. No.** 251

**Budget Page No.** 348

<u>Expenditure Summary</u>	<u>Agency Req. FY 93</u>	<u>Gov. Rec. FY 93</u>	<u>Subcommittee Adjustments</u>
State Operations:			
State General Fund	\$ 287,953	\$ 210,368	\$ 23,000
FTE Positions	4.0	4.0	--

**Agency Request/Governor's Recommendation**

The Council requests FY 1993 expenditures of \$287,953, all from the State General Fund. The request is an increase of \$73,789 above the FY 1992 estimate. The request includes salary funding to support 4.0 FTE positions and per diem for committee members (\$185,477); funding for travel and subsistence for 52 council and advisory committee meetings (\$49,571); and printing and distribution of Council publications (\$33,798). The Council requests that the appropriation language authorize that all moneys be reappropriated without limitation. The Council also requests the creation of a "Judicial Council Publications Fee Fund" to permit the sale and printing of Council publications.

The Governor recommends FY 1993 expenditures of \$210,368 (all from the State General Fund), a reduction of \$77,585 from the agency's request. The reduction includes \$6,344 from salaries, \$30,241 from travel and subsistence, \$32,000 from printing, \$2,800 from communications, \$4,000 from capital outlay, and \$2,200 from other costs. The Governor does not recommend unlimited reappropriation authority or the creation of a Judicial Council Publications Fee Fund in FY 1993.

**Senate Subcommittee Recommendation**

**FY 1992.** The Subcommittee concurs with the Governor's recommendation for FY 1992.

**FY 1993.** The Subcommittee concurs with the Governor's recommendation with the following adjustments:

1. Add \$23,000 from the State General Fund to double the number of Judicial Council Advisory Committee meetings from 20 to 40 in FY 1993. The historical number of 52 meetings per year fell to 42 in FY 1991 and 29 in FY 1992. The Council requested 52 meetings for FY 1993, but the Governor recommended financing for 20 meetings. The Subcommittee supports the work of the advisory committees and feels strongly that the number of meetings be increased for FY 1993. The following table shows the Council's budget and number of meetings since FY 1981:

*SWAM  
February 18, 1992  
Attachment 4*

Fiscal Year	Budget	No. of Meetings
1981	\$ 147,621	62
1982	141,121	49
1983	201,385	60
1984	179,115	55
1985	160,301	34
1986	177,496	55
1987	185,903	41
1988	209,386	53
1989	215,416	64
1990	230,543	52
1991	222,808	40
1992	213,458	29
1993 (Gov. Rec.)	210,368	20
1993 (Sen. Subc.)	233,368	40

2. The Council requested \$37,000 in FY 1993 to publish the supplement to the PIK-Criminal 2d (\$16,000) and a supplement to Kansas Probate Forms (\$21,000), neither of which has been published since FY 1988. None of the funding was recommended by the Governor. The Subcommittee recognizes the value of Judicial Council publications to attorneys and judges, but acknowledges that such publications are unlikely to be kept current as long as the publishing costs are financed from the State General Fund. The Subcommittee recommends the establishment of a "no-limit" Publications Fee Fund with a proviso authorizing the Council to fix, charge and collect fees (and to collect gifts, grants or donations) for the sale and distribution of legal publications in order to recover direct and indirect costs incurred for the preparation, publication and distribution of legal publications.
3. The Subcommittee notes that if the Kansas Sentencing Guidelines Act (S.B. 479) passes, the Council may need to publish additional documents -- especially the Kansas Benchbook, last published in 1984. The Subcommittee recommends that additional funding for such publications be addressed in the Omnibus Bill.
4. The Subcommittee examined the Bar Discipline Fee Fund of the Judicial Branch in hopes that its ending balance could be a source of revenue for Judicial Council publications. The Subcommittee discovered that the fund finances 4.5 positions, had FY 1991 expenditures of \$378,538, and a beginning balance of \$699,641 for FY 1992. The fund is not a part of the Judicial Branch budget, nor is it a part of the state treasury (K.S.A. 20-1a01). Although attorneys on active status pay \$60 per year to the fund and the unexpended fund balance is nearly \$700,000, the legislative and administrative branches have no oversight on expenditures. The Subcommittee recommends that the Chief Justice evaluate fund balances, determine whether an adjustment in attorney fees are necessary, or consider changing court rules to permit the use of the unexpended balances elsewhere. The Chief Justice also informed the Subcommittee that Kansas is one of the few states without a fund to provide restitution to clients of attorneys. The

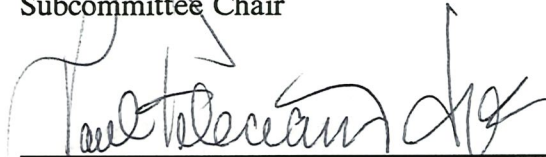
Subcommittee asks the Chief Justice to provide model legislation to be considered by the Kansas Legislature.

5. The Subcommittee also reviewed expenditures and balances of the Continuing Legal Education (CLE) Commission, created by rules of the court rather than by statute. Commission fees are not part of the Judicial Branch budget or the state treasury. Fees are determined by the Commission with the approval of the Supreme Court. According to the Commission, annual fee receipts from 6,500 attorneys total approximately \$139,000. Annual expenditures of approximately \$130,000 to \$140,000 provide for two positions and OOE. The fund balance totals between \$200,000 and \$250,000. The Subcommittee believes state oversight of this fund may also be necessary and recommends that the Chief Justice review the rules of the court and report back to the 1993 Legislature with a report of CLE expenditures, balances, and oversight alternatives.



---

Senator Jerry Moran  
Subcommittee Chair



---

Senator Paul Feleciano, Jr.