

MINUTES OF THE HOUSE APPROPRIATIONS COMMITTEE

The meeting was called to order by Chair Sharon Schwartz at 9:00 A.M. on February 19, 2008, in Room 514-S of the Capitol.

All members were present except:
Representative George - excused

Committee staff present:
Alan Conroy, Legislative Research Department
J. G. Scott, Legislative Research Department
Reed Holwegner, Legislative Research Department
Cody Gorges, Legislative Research Department
Jim Wilson, Revisor of Statutes
Nobuko Folmsbee, Revisor of Statutes
Nikki Feuerborn, Chief of Staff
Shirley Jepson, Committee Assistant

Conferees appearing before the committee:
Jerry Sloan, Judicial Branch
Randy Hearrell, Executive Director, Judicial Council

Others attending:
See attached list.

- Attachment 1 Budget Committee Report on Board of Indigents Defense Services (BIDS)
- Attachment 2 Budget Committee Report on Judicial Branch and Judicial Council

Introduction of Legislation

Representative Bethell moved to introduce legislation regarding healthy marriages and strong families. The motion was seconded by Representative Tafanelli. Motion carried.

Representative Powell moved to introduce legislation regarding negotiations for contracts and professional services. The motion was seconded by Representative Feuerborn. Motion carried.

Board of Indigents Defense Services (BIDS)

Representative Wolf, member of the Public Safety and Transportation Budget Committee, presented the Budget Committee report on the Governor's budget recommendations for the Board of Indigents Defense Services (BIDS) for FY 2008 and moved for the adoption of the Budget Committee recommendations for FY 2008 (Attachment 1). The motion was seconded by Representative Tafanelli. Motion carried.

Representative Wolf, member of the Public Safety and Transportation Budget Committee, presented the Budget Committee report on the Governor's budget recommendations for the Board of Indigents Defense Services (BIDS) for FY 2009 and moved for the adoption of the Budget Committee recommendations for FY 2009 (Attachment 1). The motion was seconded by Representative Tafanelli. Motion carried.

Judicial Branch

Representative Pottorff, member of the General Government Budget Committee, presented the Budget Committee report on the Governor's budget recommendations for the Judicial Branch for FY 2008 and moved for the adoption of the Budget Committee recommendations for FY 2008 (Attachment 2). The motion was seconded by Representative Lane. Motion carried.

CONTINUATION SHEET

MINUTES OF THE House Appropriations Committee at 9:00 A.M. on February 19, 2008, in Room 514-S of the Capitol.

Representative Pottorff, member of the General Government Budget Committee, presented the Budget Committee report on the Governor's budget recommendations for the Judicial Branch for FY 2009 and moved for the adoption of the Budget Committee recommendations for FY 2009 (Attachment 2). The motion was seconded by Representative Lane.

Representative Powell moved for a substitute motion to delete Item No. 2 from the Budget Committee report on the Judicial Branch for FY 2009 and request an interim study of caseloads for judges across the State and the feasibility of moving judges from a district where caseloads are declining to a district of increased caseloads. The motion was seconded by Representative Bethell. Motion failed on a 9-11 vote.

With reference to questions concerning Item No. 2 of the Budget Committee Report, the Budget Committee indicated that district court judges in Sedgwick County are elected and not appointed. Postponing the issue until Omnibus would not allow potential judges the ability to meet the deadline of mid-April for filing for the positions. Increased caseloads in Sedgwick County have caused the need for additional judges. The Committee voiced concern that there may be areas of the state where there are declining caseloads and discussion should take place with regard to moving judges from those areas into an area with increased caseloads.

Jerry Sloan, Judicial Branch, responded to questions from the Committee, stating that a chief judge can assign judges within the judicial district. In order to cross judicial district lines, an order from the Supreme Court is required. Mr. Sloan indicated that this is a routine procedure and done quite often. This action also applies to magistrate judges.

Representative Yoder moved to amend the Budget Committee report on the Judicial Branch for FY 2009 by decreasing the funding in Item No. 2 from \$737,698 to \$487,698 State General Fund. The motion was seconded by Representative Wolf. Motion carried.

The Budget Committee stated that this reduction in the State General Fund is possible because the judges in Sedgwick County are elected positions, to commence in January 2010, thereby requiring only six months of funding as opposed to a full year.

Representative Bethell moved to amend the Budget Committee report on the Judicial Branch for FY 2009 by requesting an interim study of judges' caseloads and the feasibility of moving judges across judicial district lines to better utilize judges across the state. The motion was seconded by Representative Ballard. Motion carried.

Representative Pottorff renewed the motion to adopt the Budget Committee report on the Judicial Branch for FY 2009 as amended. The motion was seconded by Representative Lane. Motion carried.

Judicial Council

Representative Lane, member of the General Government Budget Committee, presented the Budget Committee report on the Governor's budget recommendations for the Judicial Council for FY 2008 and moved for the adoption of the Budget Committee recommendations for FY 2008 (Attachment 2). The motion was seconded by Representative Pottorff. Motion carried.

Responding to a question from the Committee with reference to Item No. 1 of the Budget Committee report, Randy Hearrell, Executive Director, Judicial Council, provided an update on the status of the judge's performance survey. As of this date, the software to assist in the judge's performance survey has not been written causing the delay. There is only one vendor who can write the software update. Meanwhile, the vendor who has been contracted to do the performance survey is proceeding with the survey by securing data on a county by county basis.

Representative Lane, member of the General Government Budget Committee, presented the Budget Committee report on the Governor's budget recommendations for the Judicial Council for

CONTINUATION SHEET

MINUTES OF THE House Appropriations Committee at 9:00 A.M. on February 19, 2008, in Room 514-S of the Capitol.

FY 2009 and moved for the adoption of the Budget Committee recommendations for FY 2009 (Attachment 2). The motion was seconded by Representative Beamer. Motion carried.

The meeting was adjourned at 10:10 a.m. The next meeting of the Committee will be held at 9:00 a.m. on February 20, 2008

Sharon Schwartz, Chair