

**FIRST ENGROSSMENT
with Senate Amendments**

Sixtieth
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1002

Introduced by

Appropriations Committee

(At the request of the Supreme Court)

1 A BILL for an Act to provide an appropriation for defraying the expenses of the judicial branch;
2 and to amend and reenact sections 27-02-02 and 27-05-03 of the North Dakota Century Code,
3 relating to salaries of supreme and district court judges.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1. BASE LEVEL FUNDING INFORMATION.** The amounts identified in this
6 section represent the base level funding component appropriated to the judicial branch in
7 section 3 of this Act as follows:

8 Subdivision 1.

	9 SUPREME COURT		
10	Salaries and wages		\$6,522,911
11	Operating expenses		1,924,761
12	Capital assets		8,000
13	Judges retirement		<u>134,931</u>
14	Total general fund - Base level		\$8,590,603

15 Subdivision 2.

	16 DISTRICT COURTS		
17	Salaries and wages		\$36,952,288
18	Operating expenses		11,222,655
19	Capital assets		185,500
20	Judges retirement		706,771
21	UND central legal research		80,000
22	Alternative dispute resolution		<u>20,000</u>
23	Total all funds - Base level		\$49,167,214

Sixtieth
Legislative Assembly

1	Less estimated income - Base level	<u>1,219,957</u>
2	Total general fund - Base level	\$47,947,257
3	Subdivision 3.	
4	JUDICIAL CONDUCT COMMISSION AND DISCIPLINARY BOARD	
5	Judicial conduct commission and disciplinary board	<u>\$607,530</u>
6	Total all funds - Base level	\$607,530
7	Less estimated income - Base level	<u>287,521</u>
8	Total general fund - Base level	\$320,009
9	Total general fund - Section 1	\$56,857,869
10	Total other funds - Section 1	\$1,507,478
11	Total all funds - Section 1	\$58,365,347

12 **SECTION 2. FUNDING ADJUSTMENTS OR ENHANCEMENTS INFORMATION.** The
13 amounts identified in this section represent the funding adjustments or enhancements to the
14 base funding level for the judicial branch which are included in the appropriation in section 3 of
15 this Act as follows:

16 Subdivision 1.

17 SUPREME COURT

18	Salaries and wages	\$556,341
19	Operating expenses	224,424
20	Capital assets	88,000
21	Judges retirement	<u>(12,700)</u>
22	Total all funds - Adjustments/enhancements	\$856,065
23	Total general fund - Adjustments/enhancements	\$856,065

24 Subdivision 2.

25 DISTRICT COURTS

26	Salaries and wages	\$5,196,049
27	Operating expenses	3,412,776
28	Capital assets	273,083
29	Judges retirement	(101,022)
30	UND central legal research	0
31	Alternative dispute resolution	0

Sixtieth
Legislative Assembly

1	Mediation	<u>1,076,824</u>
2	Total all funds - Adjustments/enhancements	\$9,857,710
3	Less estimated income - Adjustments/enhancements	<u>681,721</u>
4	Total general fund - Adjustments/enhancements	\$9,175,989

5 Subdivision 3.

6 JUDICIAL CONDUCT COMMISSION AND DISCIPLINARY BOARD

7	Judicial conduct commission and disciplinary board	<u>\$110,424</u>
8	Total all funds - Adjustments/enhancements	\$110,424
9	Less estimated income - Adjustments/enhancements	<u>11,835</u>
10	Total general fund - Adjustments/enhancements	\$98,589
11	Total general fund - Section 2	\$10,130,643
12	Total other funds - Section 2	\$693,556
13	Total all funds - Section 2	\$10,824,199

14 **SECTION 3. APPROPRIATION.** The funds provided in this section, or so much of the
15 funds as may be necessary, are appropriated out of any moneys in the general fund in the state
16 treasury, not otherwise appropriated, and from special funds derived from federal funds and
17 other income, to the judicial branch for the purpose of defraying the expenses of its various
18 divisions, for the biennium beginning July 1, 2007, and ending June 30, 2009, as follows:

19 Subdivision 1.

20 SUPREME COURT

21	Salaries and wages	\$7,079,252
22	Operating expenses	2,149,185
23	Capital assets	96,000
24	Judges retirement	<u>122,231</u>
25	Total all funds	\$9,446,668
26	Total general fund appropriation	\$9,446,668

27 Subdivision 2.

28 DISTRICT COURTS

29	Salaries and wages	\$42,148,337
30	Operating expenses	14,635,431
31	Capital assets	458,583

Sixtieth
Legislative Assembly

1	Judges retirement	605,749
2	UND central legal research	80,000
3	Alternative dispute resolution	20,000
4	Mediation	<u>1,076,824</u>
5	Total all funds	\$59,024,924
6	Less estimated income	<u>1,901,678</u>
7	Total general fund appropriation	\$57,123,246
8	Subdivision 3.	
9	JUDICIAL CONDUCT COMMISSION AND DISCIPLINARY BOARD	
10	Judicial conduct commission and disciplinary board	<u>\$717,954</u>
11	Total all funds	\$717,954
12	Less estimated income	<u>299,356</u>
13	Total general fund appropriation	\$418,598
14	Grand total general fund appropriation	\$66,988,512
15	Grand total other funds appropriation	\$2,201,034
16	Grand total all funds appropriation	\$69,189,546

17 **SECTION 4. APPROPRIATION.** There are appropriated any funds received by the
18 supreme court, district courts, and judicial conduct commission and disciplinary board, not
19 otherwise appropriated, pursuant to federal acts and private gifts, grants, and donations for the
20 purpose as designated in the federal acts or private gifts, grants, and donations for the period
21 beginning July 1, 2007, and ending June 30, 2009.

22 **SECTION 5. TRANSFERS.** The director of the office of management and budget and
23 the state treasurer shall make such transfers of funds between line items of appropriation for
24 the judicial branch of government as may be requested by the supreme court upon a finding by
25 the court that the nature of the duties of the court and its staff requires the transfers to carry on
26 properly the functions of the judicial branch of government.

27 **SECTION 6. AMENDMENT.** Section 27-02-02 of the North Dakota Century Code is
28 amended and reenacted as follows:

29 **27-02-02. Salaries of justices of supreme court.** The annual salary of each justice of
30 the supreme court is one hundred ~~three thirteen~~ thousand ~~eighty-seven~~ five hundred
31 seventy-eight dollars through June 30, ~~2006~~ 2008, and one hundred ~~seven~~ eighteen thousand

1 ~~two one~~ hundred ~~ten~~ twenty-one dollars thereafter. The chief justice of the supreme court is
2 entitled to receive an additional three thousand ~~fifteen~~ two hundred sixty-two dollars per annum
3 through June 30, ~~2006~~ 2008, and three thousand ~~one~~ three hundred thirty-six ninety-two
4 dollars per annum thereafter.

5 **SECTION 7. AMENDMENT.** Section 27-05-03 of the North Dakota Century Code is
6 amended and reenacted as follows:

7 **27-05-03. Salaries and expenses of district judges.** The annual salary of each
8 district judge is ~~ninety-four~~ one hundred four thousand two hundred ninety-eight seventy-three
9 dollars through June 30, ~~2006~~ 2008, and ~~ninety-eight~~ one hundred eight thousand ~~seventy two~~
10 hundred thirty-six dollars thereafter. Each district judge is entitled to travel expenses, including
11 mileage and subsistence while engaged in the discharge of official duties outside the city in
12 which the judge's chambers are located. The salary and expenses are payable monthly in the
13 manner provided by law. A presiding judge of a judicial district is entitled to receive an
14 additional ~~two~~ three thousand ~~seven hundred seventy-nine~~ five dollars per annum through
15 June 30, ~~2006~~ 2008, and ~~two~~ three thousand ~~eight~~ one hundred ~~ninety~~ twenty-six dollars
16 thereafter.

17 **SECTION 8. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO**
18 **SIXTY-FIRST LEGISLATIVE ASSEMBLY.** The total general fund appropriation line item in
19 section 3 of this Act includes \$1,490,750 for the one-time funding items identified in this
20 section. This amount is not a part of the agency's base budget to be used in preparing the
21 2009-11 executive budget. The supreme court shall report to the appropriations committees of
22 the sixty-first legislative assembly on the use of this one-time funding for the biennium
23 beginning July 1, 2007, and ending June 30, 2009.

24 Enhanced records management system	\$115,750
25 Unified case management system	<u>1,375,000</u>
26 Total	\$1,490,750