Sixty-fourth Legislative Assembly of North Dakota In Regular Session Commencing Tuesday, January 6, 2015

HOUSE BILL NO. 1002 (Appropriations Committee) (At the request of the Supreme Court)

AN ACT to provide an appropriation for defraying the expenses of the judicial branch; to provide for the establishment of additional district court judgeships; and to amend and reenact sections 27-02-02 and 27-05-03 of the North Dakota Century Code, relating to salaries of supreme and district court judges.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. APPROPRIATION. The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income, to the judicial branch for the purpose of defraying the expenses of that agency, for the biennium beginning July 1, 2015, and ending June 30, 2017.

Subdivision 1.

SUPREME COURT

Salaries and wages Accrued leave payments Operating expenses Capital assets Judges retirement Guardianship monitoring program	Base Level \$9,851,552 531,696 2,754,254 0 75,017 <u>70,000</u> \$13,282,519	Adjustments or <u>Enhancements</u> \$1,557,557 (531,696) 390,745 1,012,377 4,571 <u>233,789</u> \$2 667 343	Appropriation \$11,409,109 0 3,144,999 1,012,377 79,588 <u>303,789</u> \$15 949 862
Total general fund	\$13,282,519	\$2,667,343	\$15,949,862

Subdivision 2.

DISTRICT COURTS

	Deschaust	Adjustments or	A
	<u>Base Level</u>	<u>Enhancements</u>	Appropriation
Salaries and wages	\$61,177,621	\$10,591,709	\$71,769,330
Accrued leave payments	2,399,277	(2,399,277)	0
Operating expenses	20,847,479	2,780,840	23,628,319
Capital assets	0	1,968,460	1,968,460
Judges retirement	500,936	(92,287)	408,649
UND central legal research	<u>80,000</u>	<u>0</u>	<u>80,000</u>
Total all funds	\$85,005,313	\$12,849,445	\$97,854,758
Less estimated income	<u>1,808,090</u>	<u>114,060</u>	<u>1,922,150</u>
Total general fund	\$83,197,223	\$12,735,385	\$95,932,608

Subdivision 3.

JUDICIAL CONDUCT COMMISSION AND DISCIPLINARY BOARD

A 12 1

. .

	Adjustments or		
	<u>Base Level</u>	Enhancements	Appropriation
Judicial conduct commission and	<u>\$1,020,874</u>	<u>\$106,613</u>	\$1,127,487

disciplinary board			
Total all funds	\$1,020,874	\$106,613	\$1,127,487
Less estimated income	367,499	77,157	444,656
Total general fund	\$653,375	\$29,456	\$682,831
•			

Subdivision 4.

BILL TOTAL

		Adjustments or	
	Base Level	<u>Enhancements</u>	Appropriation
Grand total general fund	\$97,133,117	\$15,432,184	\$112,565,301
Grand total special funds	<u>2,175,589</u>	<u>191,217</u>	<u>2,366,806</u>
Grand total all funds	\$99,308,706	\$15,623,401	\$114,932,107
Full-time equivalent positions	363.00	28.00	391.00

SECTION 2. APPROPRIATION. There are appropriated any funds received by the supreme court, district courts, and judicial conduct commission and disciplinary board, not otherwise appropriated, pursuant to federal acts and private gifts, grants, and donations for the purpose as designated in the federal acts or private gifts, grants, and donations for the period beginning July 1, 2015, and ending June 30, 2017.

SECTION 3. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO SIXTY-FIFTH LEGISLATIVE ASSEMBLY. The following amounts reflect the one-time funding items approved by the sixty-third legislative assembly for the 2013-15 biennium and the 2015-17 one time funding items included in the appropriation in section 1 of this Act:

One-Time Funding Description	<u>2013-15</u>	<u>2015-17</u>
Office equipment and furniture	\$331,470	\$220,000
Information technology equipment	516,556	924,460
Juvenile case management system	90,000	0
replacement study		
Disaster recovery planning	95,000	0
Criminal justice information sharing	139,850	0
publisher project	_	
Disaster recovery project	0	2,000,000
Facility space expansion	0	1,149,377
Criminal case eFile initiation	<u>0</u>	<u>99,000</u>
Total general fund	\$1,172,876	\$4,392,837

The 2015-17 one-time funding amounts are not a part of the entity's base budget for the 2017-19 biennium. The supreme court shall report to the appropriations committees of the sixty-fifth legislative assembly on the use of this one-time funding for the biennium beginning July 1, 2015, and ending June 30, 2017.

SECTION 4. TRANSFERS. The director of the office of management and budget and the state treasurer shall make such transfer of funds between line items of appropriation for the judicial branch of government as may be requested by the supreme court upon a finding by the court that the nature of the duties of the court and its staff requires the transfers to carry on properly the functions of the judicial branch of government.

SECTION 5. DISTRICT JUDGES. The appropriation provided in subdivision 2 of section 1 of this Act provides for four additional district court judges to be assigned pursuant to section 27-05-01 and to be assigned to chambers by the supreme court. Within thirty days after the effective date of this Act, the judgeship vacancies created by this section must be filled in accordance with section 13 of article VI of the Constitution of North Dakota. In accordance with section 9 and 13 of article VI of the Constitution of North Dakota, each judge appointed to fill a vacancy created by this section continues in office until the next general election immediately following two years of service after the appointment. The individual

then elected holds office for the remainder of the term and until a successor is elected and duly qualified.

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

27-02-02. Salaries of justices of supreme court.

The annual salary of each justice of the supreme court is one hundred forty-threefifty-two thousand sixfour hundred eighty-fivethirty-six dollars through June 30, 20142016, and one hundred forty-sevenfifty-seven thousand nine hundred ninety-six dollars thereafter. The chief justice of the supreme court is entitled to receive an additional four thousand onethree hundred twenty-sevenseventy-seven dollars per annum through June 30, 20142016, and four thousand twofive hundred fiftyeight dollars per annum thereafter.

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

27-05-03. Salaries and expenses of district judges.

The annual salary of each district judge is one hundred thirty-onethirty-nine thousand six hundred sixty-oneseventy-nine dollars through June 30, 20142016, and one hundred thirty-fiveforty-three thousand sixeight hundred elevensixty-nine dollars thereafter. Each district judge is entitled to travel expenses, including mileage and subsistence while engaged in the discharge of official duties outside the city in which the judge's chambers are located. The salary and expenses are payable monthly in the manner provided by law. A presiding judge of a judicial district is entitled to receive an additional threefour thousand eight hundred threethirty-five dollars per annum through June 30, 20142016, and threefour thousand nineone hundred seventeenfifty-six dollars thereafter.

H. B. NO. 1002 - PAGE 4

Speaker of the House

President of the Senate

Chief Clerk of the House

Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Sixty-fourth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1002.

House Vote:	Yeas 87	Nays 2	Absent 5
Senate Vote:	Yeas 47	Nays 0	Absent 0

Chief Clerk of the House

Received by the Govern	or at	M. on	, 2015.
Approved atN	. on		, 2015.

Governor

Filed in this office this _	day of	, 2015,

at _____ o'clock _____M.

Secretary of State