

**FIRST ENGROSSMENT  
with House Amendments**Fifty-seventh  
Legislative Assembly  
of North Dakota**ENGROSSED SENATE BILL NO. 2002**

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 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; to provide an exemption from the  
4 provisions of section 54-44.1-11 of the North Dakota Century Code; and to provide for a  
5 legislative council study.

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

7 **SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the  
8 funds as may be necessary, are hereby appropriated out of any moneys in the general fund in  
9 the state treasury, not otherwise appropriated, and from special funds derived from federal  
10 funds and other income, to the judicial branch for the purpose of defraying the expenses of its  
11 various divisions, for the biennium beginning July 1, 2001, and ending June 30, 2003, as  
12 follows:

## 13 Subdivision 1.

## 14 SUPREME COURT

15 Salaries and wages	\$5,682,466
16 Operating expenses	1,583,678
17 Equipment	153,250
18 Judges retirement	<u>209,069</u>
19 Total general fund appropriation	\$7,628,463

## 20 Subdivision 2.

## 21 DISTRICT COURTS

22 Salaries and wages	\$25,181,658
23 Operating expenses	10,004,669
24 Equipment	875,150

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1	Judges retirement	878,381
2	UND - Central legal research	80,000
3	Alternative dispute resolution	<u>40,000</u>
4	Total all funds	\$37,059,858
5	Less estimated income	<u>1,194,071</u>
6	Total general fund appropriation	\$35,865,787

7           Subdivision 3.

8                       JUDICIAL CONDUCT COMMISSION AND DISCIPLINARY BOARD

9	Judicial conduct commission and disciplinary board	<u>\$528,262</u>
10	Total all funds	\$528,262
11	Less estimated income	<u>273,750</u>
12	Total general fund appropriation	\$254,512

13           Subdivision 4.

14                               CLERK OF DISTRICT COURT FUNDING

15	Salaries and wages	\$7,132,966
16	Operating expenses	3,338,737
17	Equipment	<u>382,650</u>
18	Total all funds	\$10,854,353
19	Less estimated income	<u>750,000</u>
20	Total general fund appropriation	\$10,104,353
21	Grand total general fund appropriation	\$53,853,115
22	Grand total special funds appropriation	\$2,217,821
23	Grand total all funds appropriation	\$56,070,936

24           **SECTION 2. APPROPRIATION.** There are hereby appropriated any funds received by  
25 the supreme court, district courts, and judicial conduct commission and disciplinary board, not  
26 otherwise appropriated, pursuant to federal acts and private gifts, grants, and donations for the  
27 purpose as designated in the federal acts or private gifts, grants, and donations for the period  
28 beginning July 1, 2001, and ending June 30, 2003.

29           **SECTION 3. TRANSFERS.** The director of the office of management and budget and  
30 the state treasurer shall make such transfers of funds between line items of appropriation for  
31 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 4. EXEMPTION.** The district courts' appropriation contained in subdivision 2 of section 1 of chapter 2 of the 1999 Session Laws is not subject to the provisions of section 54-44.1-11 for up to an amount of \$350,000 and any unexpended funds from this appropriation are available to be used to consolidate and integrate the east central judicial district's case management system with the unified court information system used by the other six judicial districts during the biennium beginning July 1, 2001, and ending June 30, 2003.

**SECTION 5. JUDICIAL BRANCH - RECORDS MANAGEMENT.** The judicial branch is encouraged to explore the opportunities of using the electronic document management system services provided by the information technology department for enhanced records management and data storage.

**SECTION 6. LEGISLATIVE COUNCIL STUDY - CLERK OF COURT.** The legislative council shall consider studying, during the 2001-02 interim, the implementation of the clerk of court unification including a review of the delivery of services by clerks of court and the responsibility for restitution collection and enforcement activities.

**SECTION 7. AMENDMENT.** Section 27-02-02 of the 1999 Supplement to the North Dakota Century Code is amended and reenacted as follows:

**27-02-02. Salaries of judges of supreme court.** The annual salary of each judge of the supreme court is ~~eighty-three~~ ninety-three thousand ~~eight~~ five hundred ~~seven~~ thirty-nine dollars through June 30, ~~2000~~ 2002, and ~~eighty-five~~ one hundred one thousand ~~four~~ six hundred ~~eighty-three~~ twenty-two dollars thereafter. The chief justice of the supreme court is entitled to receive an additional two thousand ~~three~~ five hundred ~~sixty-five~~ sixty-nine dollars per annum through June 30, ~~2000~~ 2002, and two thousand ~~four~~ eight hundred ~~twelve~~ ninety-nine dollars per annum thereafter.

**SECTION 8. AMENDMENT.** Section 27-05-03 of the 1999 Supplement to 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 ~~seventy-seven~~ eighty-five thousand ~~three~~ five hundred ~~forty~~ fifteen dollars through June 30, ~~2000~~ 2002, and ~~seventy-eight~~ ninety-two thousand ~~eight~~ one hundred ~~eighty-seven~~ seventy-one dollars thereafter. Each district judge is entitled to travel expenses

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1 including mileage and subsistence while engaged in the discharge of official duties outside the  
2 city in which the judge's chambers are located. The salary and expenses are payable monthly  
3 in the manner provided by law. A presiding judge of a judicial district is entitled to receive an  
4 additional one thousand ~~eight~~ nine hundred ~~thirty-one~~ eighty-nine dollars per annum, through  
5 June 30, ~~2000~~ 2002, and ~~one~~ two thousand ~~eight~~ six hundred ~~sixty-eight~~ seventy-two dollars  
6 thereafter.