

**Fifty-seventh Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 9, 2001**

SENATE BILL NO. 2002
(Appropriations Committee)
(At the request of the Supreme Court)

AN ACT to provide an appropriation for defraying the expenses of the judicial branch; 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; to provide an exemption from the provisions of section 54-44.1-11 of the North Dakota Century Code; to provide a statement of legislative intent; and to provide for a legislative council study.

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 hereby 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 its various divisions, for the biennium beginning July 1, 2001, and ending June 30, 2003, as follows:

Subdivision 1.

SUPREME COURT

Salaries and wages	\$5,657,954
Operating expenses	1,583,678
Equipment	153,250
Judges retirement	209,069
Total general fund appropriation	\$7,603,951

Subdivision 2.

DISTRICT COURTS

Salaries and wages	\$25,056,564
Operating expenses	10,004,669
Equipment	875,150
Judges retirement	878,381
UND - Central legal research	80,000
Alternative dispute resolution	40,000
Total all funds	\$36,934,764
Less estimated income	<u>1,194,071</u>
Total general fund appropriation	\$35,740,693

Subdivision 3.

JUDICIAL CONDUCT COMMISSION AND DISCIPLINARY BOARD

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

Subdivision 4.

CLERK OF DISTRICT COURT FUNDING

Salaries and wages	\$7,132,966
Operating expenses	3,338,737
Equipment	382,650
Collection of restitution	50,000
Total all funds	\$10,904,353

Less estimated income	<u>750,000</u>
Total general fund appropriation	\$10,154,353
Grand total general fund appropriation	\$53,753,509
Grand total special funds appropriation	\$2,217,821
Grand total all funds appropriation	\$55,971,330

SECTION 2. APPROPRIATION. There are hereby 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, 2001, and ending June 30, 2003.

SECTION 3. TRANSFERS. The director of the office of management and budget and the state treasurer shall make such transfers 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 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 INTENT - RESTITUTION COLLECTION AND ENFORCEMENT. It is the intent of the legislative assembly that the county and state offices performing restitution collection and enforcement activities as of April 1, 2001, continue to perform those activities until June 30, 2003.

SECTION 7. 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 8. 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-two thousand eight hundred seven~~ eighty-three ninety-two thousand eight hundred twenty-two dollars through June 30, ~~2000~~ 2002, and ~~eighty-five ninety-nine thousand four one hundred eighty-three~~ eighty-five ninety-nine thousand four hundred twenty-two dollars thereafter. The chief justice of the supreme court is entitled to receive an additional two thousand ~~three five~~ three hundred ~~sixty-five~~ sixty-nine dollars per annum through June 30, ~~2000~~ 2002, and two thousand ~~four~~ four hundred ~~twelve~~ twelve ~~ninety-nine~~ ninety-nine dollars per annum thereafter.

SECTION 9. 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-four thousand ~~three seven~~ three hundred ~~forty~~ sixty-five dollars through June 30, ~~2000~~ 2002, and ~~seventy-eight~~ eighty thousand ~~eight six~~ eighty hundred ~~eighty-seven~~ seventy-one 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 one thousand ~~eight~~ nine hundred ~~thirty-one~~ eighty-nine dollars per annum, through June 30, ~~2000~~ 2002, and ~~one~~ two thousand ~~eight~~ six hundred ~~sixty-eight~~ seventy-two dollars thereafter.

President of the Senate

Speaker of the House

Secretary of the Senate

Chief Clerk of the House

This certifies that the within bill originated in the Senate of the Fifty-seventh Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2002.

Senate Vote: Yeas 43 Nays 4 Absent 2

House Vote: Yeas 94 Nays 2 Absent 2

Secretary of the Senate

Received by the Governor at _____ M. on _____, 2001.

Approved at _____ M. on _____, 2001.

Governor

Filed in this office this _____ day of _____, 2001,
at _____ o'clock _____ M.

Secretary of State