

March 18, 2005

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2002

Page 1, line 2, remove the first "and"

Page 1, line 3, after "judges" insert "; to provide an exemption to section 54-44.1-11 relating to unexpended appropriations; and to declare an emergency"

Page 2, line 16, replace "568,348" with "562,858"

Page 2, line 20, replace "839,554" with "834,064"

Page 2, line 22, replace "837,054" with "831,564"

Page 2, line 25, replace "2,817,570" with "2,781,752"

Page 2, line 26, replace "(3,237,596)" with "(3,337,596)"

Page 2, line 27, replace "121,000" with "111,000"

Page 2, line 28, replace "2,860,499" with "2,769,101"

Page 2, line 29, replace "6,997,869" with "6,723,674"

Page 3, line 2, replace "9,432,301" with "8,920,890"

Page 3, line 3, replace "471,862" with "471,182"

Page 3, line 4, replace "8,960,439" with "8,449,708"

Page 3, line 7, replace "65,257" with "64,757"

Page 3, line 8, replace "65,257" with "64,757"

Page 3, line 9, replace "5,034" with "4,799"

Page 3, line 10, replace "60,223" with "59,958"

Page 3, line 11, replace "9,857,716" with "9,341,230"

Page 3, line 12, replace "479,396" with "478,481"

Page 3, line 13, replace "10,337,112" with "9,819,711"

Page 3, line 21, replace "6,415,940" with "6,410,450"

Page 3, line 25, replace "8,484,816" with "8,479,326"

Page 3, line 27, replace "8,482,316" with "8,476,826"

Page 3, line 30, replace "36,730,750" with "36,694,932"

Page 3, line 31, replace "10,794,780" with "10,694,780"

Page 4, line 1, replace "195,500" with "185,500"

Page 4, line 2, replace "2,860,499" with "2,769,101"

Page 4, line 3, replace "6,997,869" with "6,723,674"

Page 4, line 7, replace "58,379,301" with "57,867,890"

Page 4, line 8, replace "2,234,597" with "2,233,917"

Page 4, line 9, replace "56,144,704" with "55,633,973"

Page 4, line 12, replace "603,900" with "603,400"

Page 4, line 13, replace "603,900" with "603,400"

Page 4, line 14, replace "285,835" with "285,600"

Page 4, line 15, replace "318,065" with "317,800"

Page 4, line 16, replace "64,945,085" with "64,794,192"

Page 4, line 17, replace "2,522,932" with "2,722,017"

Page 4, line 18, replace "67,468,017" with "67,516,209"

Page 5, after line 19, insert:

"SECTION 8. EXEMPTION. The amount appropriated for the supreme court and the district courts, as contained in subdivisions 1 and 2 of section 1 of chapter 2 of the 2003 Session Laws, is not subject to the provisions of section 54-44.1-11 for an amount of up to \$250,078. Any available funds are to be used for the purpose of establishing and defraying the expenses of the commission on legal counsel for indigents established by 2005 Senate Bill No. 2027 during the biennium beginning July 1, 2005, and ending June 30, 2007.

SECTION 9. APPROPRIATION - TRANSFER. In addition to the \$250,078 of unexpended general fund moneys that the supreme court and district courts are allowed to carry over from the 2003-05 biennium pursuant to section 8 of this Act, there is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$365,593, or so much of the sum as may be necessary, and \$200,000 from the indigent defense administration fund, to the district courts for the purpose of establishing and defraying the expenses of the commission on legal counsel for indigents, for the biennium beginning July 1, 2005, and ending June 30, 2007. Any moneys not expended by the district courts for this purpose by December 31, 2005, are available to the commission on legal counsel for indigents and the appropriation must be transferred to the commission on January 1, 2006.

SECTION 10. EMERGENCY. Section 8 of this Act is declared to be an emergency measure."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2002 - Summary of House Action

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES	HOUSE VERSION
Supreme Court				
Total all funds	\$8,543,619	\$8,484,816	(\$5,490)	\$8,479,326
Less estimated income	<u>2,500</u>	<u>2,500</u>		<u>2,500</u>
General fund	\$8,541,119	\$8,482,316	(\$5,490)	\$8,476,826
District Courts				
Total all funds	\$59,923,612	\$58,379,301	\$54,182	\$58,433,483
Less estimated income	<u>2,237,521</u>	<u>2,234,597</u>	<u>199,320</u>	<u>2,433,917</u>
General fund	\$57,686,091	\$56,144,704	(\$145,138)	\$55,999,566
Judicial Conduct Commission				
Total all funds	\$605,926	\$603,900	(\$500)	\$603,400
Less estimated income	<u>286,787</u>	<u>285,835</u>	<u>(235)</u>	<u>285,600</u>
General fund	\$319,139	\$318,065	(\$265)	\$317,800
Bill Total				
Total all funds	\$69,073,157	\$67,468,017	\$48,192	\$67,516,209
Less estimated income	<u>2,526,808</u>	<u>2,522,932</u>	<u>199,085</u>	<u>2,722,017</u>
General fund	\$66,646,349	\$64,945,085	(\$150,893)	\$64,794,192

Senate Bill No. 2002 - Supreme Court - House Action

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES	HOUSE VERSION
Salaries and wages	\$6,471,084	\$6,415,940	(\$5,490)	\$6,410,450
Operating expenses	1,927,261	1,927,261		1,927,261
Capital assets	8,000	8,000		8,000
Judges' retirement	<u>137,274</u>	<u>133,615</u>		<u>133,615</u>
Total all funds	\$8,543,619	\$8,484,816	(\$5,490)	\$8,479,326
Less estimated income	<u>2,500</u>	<u>2,500</u>		<u>2,500</u>
General fund	\$8,541,119	\$8,482,316	(\$5,490)	\$8,476,826
FTE	44.50	44.50	0.00	44.50

Dept. 181 - Supreme Court - Detail of House Changes

	REDUCES RECOMMENDED FUNDING FOR HEALTH INSURANCE	TOTAL HOUSE CHANGES
Salaries and wages	(\$5,490)	(\$5,490)
Operating expenses		
Capital assets		
Judges' retirement		
Total all funds	(\$5,490)	(\$5,490)
Less estimated income		
General fund	(\$5,490)	(\$5,490)
FTE	0.00	0.00

Senate Bill No. 2002 - District Courts - House Action

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES	HOUSE VERSION
Salaries and wages	\$37,100,037	\$36,730,750	(\$35,818)	\$36,694,932
Operating expenses	10,794,780	10,794,780	(100,000)	10,694,780
Capital assets	195,500	195,500	(10,000)	185,500
Indigent defense - July 2005 - December 2005	3,149,481	2,860,499	(91,398)	2,769,101
Indigent defense - January 2006 - June 2007	7,864,817	6,997,869	(274,195)	6,723,674
Judges' retirement	718,997	699,903		699,903
UND Central Legal Research	80,000	80,000		80,000
Alternative dispute resolution	20,000	20,000		20,000
Indigent Defense Commission			<u>565,593</u>	<u>565,593</u>
Total all funds	\$59,923,612	\$58,379,301	\$54,182	\$58,433,483
Less estimated income	<u>2,237,521</u>	<u>2,234,597</u>	<u>199,320</u>	<u>2,433,917</u>
General fund	\$57,686,091	\$56,144,704	(\$145,138)	\$55,999,566
FTE	283.50	283.50	0.00	283.50

Dept. 182 - District Courts - Detail of House Changes

	REDUCES RECOMMENDED FUNDING FOR HEALTH INSURANCE	REDUCES FUNDING FOR INDIGENT DEFENSE OVERHEAD REIMBURSEMENT ¹	REDUCES FUNDING FOR INDIGENT DEFENSE CASELOAD INCREASES ²	REMOVES FUNDING FOR DIGITAL AUDIO SYSTEM ³	REMOVES FUNDING FOR INTERACTIVE TELEVISION ⁴	PROVIDES FUNDING FOR ADMINISTRATION OF COMMISSION ON LEGAL COUNSEL FOR INDIGENTS
Salaries and wages	(\$35,818)					
Operating expenses				(\$30,000)	(\$70,000)	
Capital assets				(10,000)		
Indigent defense - July 2005 - December 2005		(\$28,898)	(\$62,500)			
Indigent defense - January 2006 - June 2007		(86,695)	(187,500)			
Judges' retirement						
UND Central Legal Research						
Alternative dispute resolution						
Indigent Defense Commission						<u>\$565,593</u>
Total all funds	(\$35,818)	(\$115,593)	(\$250,000)	(\$40,000)	(\$70,000)	\$565,593
Less estimated income	<u>(680)</u>					<u>200,000</u>
General fund	(\$35,138)	(\$115,593)	(\$250,000)	(\$40,000)	(\$70,000)	\$365,593
FTE	0.00	0.00	0.00	0.00	0.00	0.00

TOTAL HOUSE CHANGES

Salaries and wages	(\$35,818)
Operating expenses	(100,000)
Capital assets	(10,000)
Indigent defense - July 2005 - December 2005	(91,398)
Indigent defense - January 2006 - June 2007	(274,195)
Judges' retirement	
UND Central Legal Research	
Alternative dispute resolution	
Indigent Defense Commission	<u>565,593</u>
Total all funds	\$54,182
Less estimated income	<u>199,320</u>
General fund	(\$145,138)
FTE	0.00

¹ This amendment reduces funding for indigent defense by a total of \$115,593 from the general fund for the 2005-07 biennium as the result of a decrease in the reimbursement of overhead expenses for indigent defense associated with the Senate adjustment that decreased the indigent defense contract rate from \$75 to \$65 per hour. Reimbursement of overhead expenses is calculated at 10 percent of the total indigent contract amount.

² This amendment decreases funding for indigent defense by a total of \$250,000 from the general fund for the 2005-07 biennium to reduce funding for caseload increases from \$500,000 to \$250,000.

³ This amendment removes \$40,000 of general fund money for the installation of a digital audio system.

⁴ This amendment removes \$70,000 of general fund money for the installation of two interactive televisions.

Senate Bill No. 2002 - Judicial Conduct Commission - House Action

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES	HOUSE VERSION
Judicial Conduct Commission and Disciplinary Board	\$605,926	\$603,900	(\$500)	\$603,400
Total all funds	\$605,926	\$603,900	(\$500)	\$603,400
Less estimated income	<u>286,787</u>	<u>285,835</u>	<u>(235)</u>	<u>285,600</u>
General fund	\$319,139	\$318,065	(\$265)	\$317,800
FTE	4.00	4.00	0.00	4.00

Dept. 183 - Judicial Conduct Commission - Detail of House Changes

	REDUCES RECOMMENDED FUNDING FOR HEALTH INSURANCE	TOTAL HOUSE CHANGES
Judicial Conduct Commission and Disciplinary Board	(\$500)	(\$500)
Total all funds	(\$500)	(\$500)
Less estimated income	(235)	(235)
General fund	(\$265)	(\$265)
FTE	0.00	0.00

Senate Bill No. 2002 - Other Changes - House Action

This amendment also allows the Supreme Court and district courts to carry over up to \$250,078 of unexpended general fund money from the 2003-05 biennium to the 2005-07 biennium to be used for establishing and defraying the expenses of the Commission on Legal Counsel for Indigents and appropriates a total of \$565,593 to the district courts, of which \$365,593 is from the general fund and \$200,000 is from the indigent defense administration fund, for establishing and defraying the expenses of the Commission on Legal Counsel for Indigents for the 2005-07 biennium, for a total amount of \$815,671 available for the establishment and expenses of the Commission on Legal Counsel for Indigents for the 2005-07 biennium.