

Sixty-fifth
Legislative Assembly
of North Dakota

SENATE BILL NO. 2062

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. APPROPRIATION.** The funds provided in this section, or so much of the funds
6 as may be necessary, are appropriated out of any moneys in the general fund in the state
7 treasury, not otherwise appropriated, and from special funds derived from federal funds and
8 other income, to the judicial branch for the purpose of defraying the expenses of that agency for
9 the biennium beginning July 1, 2017, and ending June 30, 2019, as follows:

10 Subdivision 1.

11 SUPREME COURT

		Adjustments or		
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>	
12				
13				
14	Salaries and wages	\$11,059,109	(\$94,069)	\$10,965,040
15	Operating expenses	2,483,980	247,602	2,731,582
16	Capital assets	0	0	0
17	Judges' retirement	79,588	1,176	80,764
18	Guardianship monitoring program	<u>228,789</u>	<u>(228,789)</u>	<u>0</u>
19	Total general fund	\$13,851,466	(\$74,080)	\$13,777,386

20 Subdivision 2.

21 DISTRICT COURTS

		Adjustments or		
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>	
22				
23				
24	Salaries and wages	\$68,669,330	(\$717,886)	\$67,951,444

Sixty-fifth
Legislative Assembly

1	Operating expenses	19,930,733	876,240	20,806,973
2	Capital assets	0	0	0
3	Judges' retirement	343,649	(359)	343,290
4	UND central legal research	<u>80,000</u>	<u>(80,000)</u>	<u>0</u>
5	Total all funds	\$89,023,712	\$77,995	\$89,101,707
6	Less estimated income	<u>1,922,150</u>	<u>(583,012)</u>	<u>1,339,138</u>
7	Total general fund	\$87,101,562	\$661,007	\$87,762,569

8 Subdivision 3.

9 JUDICIAL CONDUCT COMMISSION AND DISCIPLINARY BOARD

10		Adjustments or		
11		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
12	Judicial conduct commission and	<u>\$1,082,762</u>	<u>\$96,638</u>	<u>\$1,179,400</u>
13	disciplinary board			
14	Total all funds	\$1,082,762	\$96,638	\$1,179,400
15	Less estimated income	<u>444,656</u>	<u>38,045</u>	<u>482,701</u>
16	Total general fund	\$638,106	\$58,593	\$696,699

17 Subdivision 4.

18 BILL TOTAL

19		Adjustments or		
20		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
21	Grand total general fund	\$101,591,134	\$645,520	\$102,236,654
22	Grand total special funds	<u>2,366,806</u>	<u>(544,967)</u>	<u>1,821,839</u>
23	Grand total all funds	\$103,957,940	\$100,553	\$104,058,493
24	Full-time equivalent positions	391.00	(36.50)	354.50

25 **SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO SIXTY-**

26 **SIXTH LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time funding items
 27 approved by the sixty-fourth legislative assembly for the 2015-17 biennium and the 2017-19
 28 biennium one-time funding items included in the appropriation in section 1 of this Act:

29	<u>One-Time Funding Description</u>	<u>2015-17</u>	<u>2017-19</u>
30	Office equipment and furniture	\$0	\$0
31	Information technology equipment	623,460	0

1	Disaster recovery project	1,825,000	0
2	Criminal eFile initiation	99,000	0
3	Facility space expansion	<u>1,115,070</u>	<u>0</u>
4	Total general fund	\$3,662,530	\$0

5 **SECTION 3. APPROPRIATION.** There are appropriated any funds received by the
6 supreme court, district courts, and judicial conduct commission and disciplinary board, not
7 otherwise appropriated, pursuant to federal acts and private gifts, grants, and donations for the
8 purpose as designated in the federal acts or private gifts, grants and donations for the period
9 beginning July 1, 2017, and ending June 30, 2019.

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

15 **SECTION 5. AMENDMENT.** Section 27-02-02 of the North Dakota Century Code is
16 amended and reenacted as follows:

17 **27-02-02. Salaries of justices of supreme court.**

18 The annual salary of each justice of the supreme court is one hundred ~~fifty-two~~fifty-seven
19 thousand ~~four hundred thirty-six~~nine dollars through June 30, ~~2016~~2018, and one hundred ~~fifty-~~
20 ~~seven~~fifty-eight thousand ~~nine~~five hundred seventy-nine dollars thereafter. The chief justice of
21 the supreme court is entitled to receive an additional four thousand ~~three~~five hundred ~~seventy-~~
22 ~~seven~~eight dollars per annum through June 30, ~~2016~~2018, and four thousand five hundred
23 ~~eight~~fifty-three dollars per annum thereafter.

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

26 **27-05-03. Salaries and expenses of district judges.**

27 The annual salary of each district judge is one hundred ~~thirty-nine~~forty-three thousand
28 ~~six~~eight hundred ~~seventy-nine~~sixty-nine dollars through June 30, ~~2016~~2018, and one hundred
29 ~~forty-three~~forty-five thousand ~~eight~~three hundred ~~sixty-nine~~eight dollars thereafter. Each district
30 judge is entitled to travel expenses, including mileage and subsistence while engaged in the
31 discharge of official duties outside the city in which the judge's chambers are located. The

Sixty-fifth
Legislative Assembly

- 1 salary and expenses are payable monthly in the manner provided by law. A presiding judge of a
- 2 judicial district is entitled to receive an additional four thousand ~~thirty-five~~one hundred fifty-six
- 3 dollars per annum through June 30, ~~2016~~2018, and four thousand one hundred ~~fifty-~~
- 4 ~~six~~ninety-seven dollars thereafter.