

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1002

That the Senate recede from its amendments as printed on pages 1189-1192 of the House Journal and pages 1059-1061 of the Senate Journal and that Engrossed House Bill No. 1002 be amended as follows:

Page 1, line 1, after the semicolon insert "to provide for a legislative council study;"

Page 1, line 21, replace "8,334,038" with "8,937,038"

Page 2, line 2, replace "32,469,271" with "33,072,271"

Page 2, line 4, replace "31,689,328" with "32,292,328"

Page 2, line 13, replace "3,129,346" with "1,000,000"

Page 2, line 14, replace "3,129,346" with "1,000,000"

Page 2, line 15, replace "42,166,922" with "40,640,576"

Page 2, line 17, replace "43,216,865" with "41,690,519"

Page 2, after line 27, insert:

**"SECTION 4. LEGISLATIVE COUNCIL STUDY OF UNIFIED COURT SYSTEM.** The legislative council shall consider studying, during the 1999-2000 interim, the impacts of court unification on the judicial system and on the effective provision of judicial services to state residents.

**SECTION 5. ALLOCATION FOR INDIGENT DEFENSE FUNDS.** The supreme court shall develop criteria for the equitable allocation of indigent defense funds contained in the operating expenses line item for district courts. The criteria must be based on number of cases, complexity of cases, the level of efficiency in handling cases, and the historical funding levels in different districts. The supreme court may use any other factors deemed appropriate by the supreme court. The historical funding levels may be used as one factor of many and may not be given consideration in excess of any other factor. The supreme court shall use these criteria in the allocation of indigent defense funds appropriated under this Act.

**SECTION 6. CLERK OF COURT UNIFICATION.** Notwithstanding the provisions of 1999 House Bill No. 1275, the supreme court shall implement the clerk of court unification effective April 1, 2001."

Page 3, line 9, replace "seventy-nine" with "seventy-seven", replace "one" with "three", and replace "seventy-one" with "forty"

Page 3, line 10, replace "eighty" with "seventy-eight", remove the overstrike over "eight", and remove "seven"

Page 3, line 11, replace "fifty-four" with "eighty-seven"

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

DEPARTMENT 182 - DISTRICT COURTS

CONFERENCE COMMITTEE - This amendment makes the following changes:

	EXECUTIVE BUDGET	HOUSE VERSION	CONFERENCE COMMITTEE CHANGES	CONFERENCE COMMITTEE VERSION	SENATE VERSION	CONFERENCE COMPARISON TO SENATE VERSION
Salaries and wages	\$23,500,870	\$22,526,069		\$22,526,069	\$22,526,069	
Operating expenses	9,178,319	8,334,038	\$603,000	8,937,038	8,937,038	
Equipment	788,600	674,603		674,603	674,603	
Judges retirement	851,889	814,561		814,561	814,561	
Alternative dispute resolution	60,000	40,000		40,000	40,000	
UND - Central legal research		80,000		80,000	80,000	
Total all funds	\$34,379,678	\$32,469,271	\$603,000	\$33,072,271	\$33,072,271	\$0
Less special funds	<u>774,155</u>	<u>779,943</u>		<u>779,943</u>	<u>779,943</u>	
General fund	\$33,605,523	\$31,689,328	\$603,000	\$32,292,328	\$32,292,328	\$0
FTE	191.00	189.50	0.00	189.50	189.50	0.00

Detail of Conference Committee changes to the House version includes:

	RESTORE A PORTION OF THE INDIGENT DEFENSE FUNDING	RESTORE FUNDING FOR INTEGRATED CASE MANAGEMENT SYSTEM	TOTAL CONFERENCE COMMITTEE CHANGES
Salaries and wages			
Operating expenses	\$135,000	\$468,000	\$603,000
Equipment			
Judges retirement			
Alternative dispute resolution			
UND - Central legal research			
Total all funds	\$135,000	\$468,000	\$603,000
Less special funds			
General fund	\$135,000	\$468,000	\$603,000
FTE	0.00	0.00	0.00

Conference Committee changes narrative:

This amendment also corrects the salaries of district court judges, which are as follows under the 2/2 compensation plan:

	PRESIDING JUDGE	DISTRICT COURT JUDGE
Current	\$77,619	\$75,824
July 1, 1999	\$79,171	\$77,340
July 1, 2000	\$80,755	\$78,887

The amendment also adds the following new sections:

Section 4 - Requires a Legislative Council study of the unified court system.

Section 5 - Provides guidelines for the allocation of district court indigent defense funds.

DEPARTMENT 184 - CLERK OF DISTRICT COURT

CONFERENCE COMMITTEE - This amendment makes the following changes:

	EXECUTIVE BUDGET	HOUSE VERSION	CONFERENCE COMMITTEE CHANGES	CONFERENCE COMMITTEE VERSION	SENATE VERSION	CONFERENCE COMPARISON TO SENATE VERSION
Clerk of district courts	<u>\$3,035,898</u>	<u>\$3,129,346</u>	<u>(\$2,129,346)</u>	<u>\$1,000,000</u>	<u>\$399,601</u>	<u>\$600,399</u>
Total all funds	\$3,035,898	\$3,129,346	(\$2,129,346)	\$1,000,000	\$399,601	\$600,399
Less special funds	_____	_____	_____	_____	_____	_____
General fund	\$3,035,898	\$3,129,346	(\$2,129,346)	\$1,000,000	\$399,601	\$600,399
FTE	129.00	129.00	(16.00)	113.00	113.00	0.00

Detail of Conference Committee changes to the House version includes:

	REDUCE FUNDING	TOTAL CONFERENCE COMMITTEE CHANGES
Clerk of district courts	<u>(\$2,129,346)</u>	<u>(\$2,129,346)</u>
Total all funds	(\$2,129,346)	(\$2,129,346)
Less special funds	_____	_____
General fund	(\$2,129,346)	(\$2,129,346)
FTE	(16.00)	(16.00)

Conference Committee changes narrative:

The amendment reduces clerk of court funding by \$2,129,346, to \$1,000,000 of general fund moneys, due to delaying the implementation date from January 1, 2001, to April 1, 2001.

The amendment also adds a section providing for an April 1, 2001, implementation date for the clerk of court unification.