

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1002

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

Page 1, line 2, after "27-02-02" insert ", 27-05-01, subdivision c of subsection 3 of section 27-05-02.1," and after the third "and" insert "section"

Page 1, line 3, after "judges" insert "and the number of district court judges"

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 "399,601"

Page 2, line 14, replace "3,129,346" with "399,601"

Page 2, line 15, replace "42,166,922" with "40,040,177"

Page 2, line 17, replace "43,216,865" with "41,090,120"

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."

Page 3, after line 5, insert:

"SECTION 7. AMENDMENT. Section 27-05-01 of the North Dakota Century Code is amended and reenacted as follows:

27-05-01. Judicial districts - Number of judges.

1. The judicial districts in this state are as designated by rule of the supreme court. The number of judges in each of the judicial districts is as follows:

- a. The northwest judicial district shall have five judges.
 - b. The northeast judicial district shall have three judges.
 - c. The northeast central judicial district shall have four judges.
 - d. The east central judicial district shall have four judges.
 - e. The southeast judicial district shall have three judges.
 - f. The south central judicial district shall have five judges.
 - g. The southwest judicial district shall have three judges.
2. Each judicial district has that number of additional judges as designated by rule of the supreme court pursuant to subsection 3 of section 27-05-00.1. The supreme court shall reduce the number of district judges pursuant to section 27-05-02.1 to forty-two before January 2, ~~2004~~ 2003.

SECTION 8. AMENDMENT. Subdivision c of subsection 3 of section 27-05-02.1 of the 1997 Supplement to the North Dakota Century Code is amended and reenacted as follows:

- c. From July 1, 1999, until December 31, ~~2000~~ 2002, if on July 1, 1999, the number of district court judges is more than forty-two."

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

SENATE - This amendment makes the following changes:

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

Detail of Senate changes to the House version includes:

	RESTORE A PORTION OF THE INDIGENT DEFENSE FUNDING	RESTORE FUNDING FOR INTEGRATED CASE MANAGEMENT SYSTEM	TOTAL SENATE 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

Senate 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.

Sections 6 and 7 - Extend, by two years, the deadline for reducing the number of district court judges to 42.

DEPARTMENT 184 - CLERK OF DISTRICT COURT

SENATE - This amendment makes the following changes:

	EXECUTIVE BUDGET	HOUSE VERSION	SENATE CHANGES	SENATE VERSION
Clerk of district courts	\$3,035,898	\$3,129,346	(\$2,729,745)	\$399,601
Total all funds	\$3,035,898	\$3,129,346	(\$2,729,745)	\$399,601
Less special funds				
General fund	\$3,035,898	\$3,129,346	(\$2,729,745)	\$399,601
FTE	129.00	129.00	(16.00)	113.00

Detail of Senate changes to the House version includes:

	REDUCE FUNDING	TOTAL SENATE CHANGES
Clerk of district courts	(\$2,729,745)	(\$2,729,745)
Total all funds	(\$2,729,745)	(\$2,729,745)
Less special funds		
General fund	(\$2,729,745)	(\$2,729,745)
FTE	(16.00)	(16.00)

Senate changes narrative:

This amendment removes all clerk of court funding except for the following:

Operating expenses	\$50,000
111 FTE clerks (1 month)	342,982
1 FTE human services clerk (1 month)	2,586
1 FTE accountant (1 month)	<u>4,033</u>
Total	\$399,601