

**FIRST ENGROSSMENT
with Conference Committee Amendments**

ENGROSSED SENATE BILL NO. 2002

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 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; to provide an exemption from the
4 provisions of section 54-44.1-11 of the North Dakota Century Code; to provide a statement of
5 legislative intent; and to provide for a legislative council study.

6 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

7 **SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the
8 funds as may be necessary, are hereby appropriated out of any moneys in the general fund in
9 the state treasury, not otherwise appropriated, and from special funds derived from federal
10 funds and other income, to the judicial branch for the purpose of defraying the expenses of its
11 various divisions, for the biennium beginning July 1, 2001, and ending June 30, 2003, as
12 follows:

13 Subdivision 1.

14 SUPREME COURT

15 Salaries and wages	\$5,657,954
16 Operating expenses	1,583,678
17 Equipment	153,250
18 Judges retirement	<u>209,069</u>
19 Total general fund appropriation	\$7,603,951

20 Subdivision 2.

21 DISTRICT COURTS

22 Salaries and wages	\$25,056,564
23 Operating expenses	10,004,669
24 Equipment	875,150

Fifty-seventh
Legislative Assembly

1	Judges retirement	878,381
2	UND - Central legal research	80,000
3	Alternative dispute resolution	<u>40,000</u>
4	Total all funds	\$36,934,764
5	Less estimated income	<u>1,194,071</u>
6	Total general fund appropriation	\$35,740,693
7	Subdivision 3.	
8	JUDICIAL CONDUCT COMMISSION AND DISCIPLINARY BOARD	
9	Judicial conduct commission and disciplinary board	<u>\$528,262</u>
10	Total all funds	\$528,262
11	Less estimated income	<u>273,750</u>
12	Total general fund appropriation	\$254,512
13	Subdivision 4.	
14	CLERK OF DISTRICT COURT FUNDING	
15	Salaries and wages	\$7,132,966
16	Operating expenses	3,338,737
17	Equipment	382,650
18	Collection of restitution	<u>50,000</u>
19	Total all funds	\$10,904,353
20	Less estimated income	<u>750,000</u>
21	Total general fund appropriation	\$10,154,353
22	Grand total general fund appropriation	\$53,753,509
23	Grand total special funds appropriation	\$2,217,821
24	Grand total all funds appropriation	\$55,971,330

25 **SECTION 2. APPROPRIATION.** There are hereby appropriated any funds received by
26 the supreme court, district courts, and judicial conduct commission and disciplinary board, not
27 otherwise appropriated, pursuant to federal acts and private gifts, grants, and donations for the
28 purpose as designated in the federal acts or private gifts, grants, and donations for the period
29 beginning July 1, 2001, and ending June 30, 2003.

30 **SECTION 3. TRANSFERS.** The director of the office of management and budget and
31 the state treasurer shall make such transfers of funds between line items of appropriation for

1 the judicial branch of government as may be requested by the supreme court upon a finding by
2 the court that the nature of the duties of the court and its staff requires the transfers to carry on
3 properly the functions of the judicial branch of government.

4 **SECTION 4. EXEMPTION.** The district courts' appropriation contained in subdivision 2
5 of section 1 of chapter 2 of the 1999 Session Laws is not subject to the provisions of section
6 54-44.1-11 for up to an amount of \$350,000 and any unexpended funds from this appropriation
7 are available to be used to consolidate and integrate the east central judicial district's case
8 management system with the unified court information system used by the other six judicial
9 districts during the biennium beginning July 1, 2001, and ending June 30, 2003.

10 **SECTION 5. JUDICIAL BRANCH - RECORDS MANAGEMENT.** The judicial branch
11 is encouraged to explore the opportunities of using the electronic document management
12 system services provided by the information technology department for enhanced records
13 management and data storage.

14 **SECTION 6. LEGISLATIVE INTENT - RESTITUTION COLLECTION AND**
15 **ENFORCEMENT.** It is the intent of the legislative assembly that the county and state offices
16 performing restitution collection and enforcement activities as of April 1, 2001, continue to
17 perform those activities until June 30, 2003.

18 **SECTION 7. LEGISLATIVE COUNCIL STUDY - CLERK OF COURT.** The legislative
19 council shall consider studying, during the 2001-02 interim, the implementation of the clerk of
20 court unification including a review of the delivery of services by clerks of court and the
21 responsibility for restitution collection and enforcement activities.

22 **SECTION 8. AMENDMENT.** Section 27-02-02 of the 1999 Supplement to the North
23 Dakota Century Code is amended and reenacted as follows:

24 **27-02-02. Salaries of judges of supreme court.** The annual salary of each judge of
25 the supreme court is ~~eighty-three ninety-two thousand eight two hundred seven eighty-nine~~
26 dollars through June 30, ~~2000~~ 2002, and ~~eighty-five ninety-nine thousand four one hundred~~
27 ~~eighty-three~~ twenty-two dollars thereafter. The chief justice of the supreme court is entitled to
28 receive an additional two thousand ~~three five hundred sixty-five~~ sixty-nine dollars per annum
29 through June 30, ~~2000~~ 2002, and two thousand ~~four eight hundred twelve~~ ninety-nine dollars
30 per annum thereafter.

1 **SECTION 9. AMENDMENT.** Section 27-05-03 of the 1999 Supplement to the North
2 Dakota Century Code is amended and reenacted as follows:

3 **27-05-03. Salaries and expenses of district judges.** The annual salary of each
4 district judge is ~~seventy-seven~~ eighty-four thousand ~~three~~ seven hundred ~~forty~~ sixty-five dollars
5 through June 30, ~~2000~~ 2002, and ~~seventy-eight~~ ninety thousand ~~eight~~ six hundred
6 ~~eighty-seven~~ seventy-one dollars thereafter. Each district judge is entitled to travel expenses
7 including mileage and subsistence while engaged in the discharge of official duties outside the
8 city in which the judge's chambers are located. The salary and expenses are payable monthly
9 in the manner provided by law. A presiding judge of a judicial district is entitled to receive an
10 additional one thousand ~~eight~~ nine hundred ~~thirty-one~~ eighty-nine dollars per annum, through
11 June 30, ~~2000~~ 2002, and ~~one~~ two thousand ~~eight~~ six hundred ~~sixty-eight~~ seventy-two dollars
12 thereafter.