

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. BASE LEVEL FUNDING INFORMATION.** The amounts identified in this
6 section represent the base level funding component appropriated to the judicial branch in
7 section 3 of this Act as follows:

8 Subdivision 1.

9 SUPREME COURT	
10 Salaries and wages	\$5,847,592
11 Operating expenses	1,665,382
12 Judges retirement	<u>132,288</u>
13 Total general fund - Base level	\$7,645,262

14 Subdivision 2.

15 DISTRICT COURTS	
16 Salaries and wages	\$33,913,180
17 Operating expenses	14,032,376
18 Capital assets	74,500
19 Judges retirement	826,944
20 UND-central legal research	80,000
21 Alternative dispute resolution	<u>20,000</u>
22 Total all funds - Base level	\$48,947,000
23 Less estimated income - Base level	<u>1,762,735</u>
24 Total general fund - Base level	\$47,184,265

1 Subdivision 3.

2 JUDICIAL CONDUCT COMMISSION AND DISCIPLINARY BOARD

3	Judicial conduct commission and disciplinary board	<u>\$538,643</u>
4	Total all funds - Base level	\$538,643
5	Less estimated income - Base level	<u>280,801</u>
6	Total general fund - Base level	\$257,842
7	Total general fund - Section 1	\$55,087,369
8	Total other funds - Section 1	\$2,043,536
9	Total all funds - Section 1	\$57,130,905

10 **SECTION 2. FUNDING ADJUSTMENTS OR ENHANCEMENTS INFORMATION.** The
11 amounts identified in this section represent the funding adjustments or enhancements to the
12 base funding level for the judicial branch which are included in the appropriation in section 3 of
13 this Act as follows:

14 Subdivision 1.

15 SUPREME COURT

16	Salaries and wages	\$623,492
17	Operating expenses	261,879
18	Capital assets	8,000
19	Judges retirement	<u>4,986</u>
20	Total all funds - Adjustments/enhancements	\$898,357
21	Less estimated income - Adjustments/enhancements	<u>2,500</u>
22	Total general fund - Adjustments/enhancements	\$895,857

23 Subdivision 2.

24 DISTRICT COURTS

25	Salaries and wages	\$3,186,857
26	Operating expenses	(3,237,596)
27	Capital assets	121,000
28	Indigent defense - July 1, 2005 - December 31, 2005	3,149,481
29	Indigent defense - January 1, 2006 - June 30, 2007	7,864,817
30	Judges retirement	(107,947)
31	UND-central legal research	0

Fifty-ninth
Legislative Assembly

1	Capital assets	195,500
2	Indigent defense - July 1, 2005 - December 31, 2005	3,149,481
3	Indigent defense - January 1, 2006 - June 30, 2007	7,864,817
4	Judges retirement	718,997
5	UND-central legal research	80,000
6	Alternative dispute resolution	<u>20,000</u>
7	Total all funds	\$59,923,612
8	Less estimated income	<u>2,237,521</u>
9	Total general fund appropriation	\$57,686,091
10	Subdivision 3.	
11	JUDICIAL CONDUCT COMMISSION AND DISCIPLINARY BOARD	
12	Judicial conduct commission and disciplinary board	<u>\$605,926</u>
13	Total all funds	\$605,926
14	Less estimated income	<u>286,787</u>
15	Total general fund appropriation	\$319,139
16	Grand total general fund appropriation - S.B. 2002	\$66,546,349
17	Grand total other funds appropriation - S.B. 2002	\$2,526,808
18	Grand total all funds appropriation - S.B. 2002	\$69,073,157

19 **SECTION 4. APPROPRIATION.** There are appropriated any funds received by the
20 supreme court, district courts, and judicial conduct commission and disciplinary board, not
21 otherwise appropriated, pursuant to federal acts and private gifts, grants, and donations for the
22 purpose as designated in the federal acts or private gifts, grants, and donations for the period
23 beginning July 1, 2005, and ending June 30, 2007.

24 **SECTION 5. TRANSFERS.** The director of the office of management and budget and
25 the state treasurer shall make such transfers of funds between line items of appropriation for
26 the judicial branch of government as may be requested by the supreme court upon a finding by
27 the court that the nature of the duties of the court and its staff requires the transfers to carry on
28 properly the functions of the judicial branch of government.

29 **SECTION 6. AMENDMENT.** Section 27-02-02 of the North Dakota Century Code is
30 amended and reenacted as follows:

1 **27-02-02. Salaries of ~~judges~~ justices of supreme court.** The annual salary of each
2 ~~judge~~ justice of the supreme court is ~~ninety-two~~ one hundred four thousand ~~two~~ eight hundred
3 ~~eighty-nine~~ fifty-one dollars through June 30, ~~2002~~ 2006, and ~~ninety-nine~~ one hundred nine
4 thousand ~~one hundred twenty-two~~ forty-five dollars thereafter. The chief justice of the supreme
5 court is entitled to receive an additional ~~two~~ three thousand ~~five hundred sixty-nine~~ sixty-six
6 dollars per annum through June 30, ~~2002~~ 2006, and ~~two~~ three thousand ~~eight~~ one hundred
7 ~~ninety-nine~~ eighty-nine dollars per annum thereafter.

8 **SECTION 7. AMENDMENT.** Section 27-05-03 of the North Dakota Century Code is
9 amended and reenacted as follows:

10 **27-05-03. Salaries and expenses of district judges.** The annual salary of each
11 district judge is ~~eighty-four~~ ninety-five thousand ~~seven hundred sixty-five~~ nine hundred eleven
12 dollars through June 30, ~~2002~~ 2006, and ninety nine thousand ~~six hundred seventy-one~~ seven
13 hundred forty-eight dollars thereafter. Each district judge is entitled to travel expenses including
14 mileage and subsistence while engaged in the discharge of official duties outside the city in
15 which the judge's chambers are located. The salary and expenses are payable monthly in the
16 manner provided by law. A presiding judge of a judicial district is entitled to receive an
17 additional ~~one~~ two thousand ~~nine~~ eight hundred ~~eighty-nine~~ twenty-six dollars per annum,
18 through June 30, ~~2002~~ 2006, and two thousand ~~six~~ nine hundred ~~seventy-two~~ thirty-nine dollars
19 thereafter.