

Fifty-ninth
Legislative Assembly
of North Dakota

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 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	\$568,348
17	Operating expenses	261,879
18	Capital assets	8,000
19	Judges retirement	<u>1,327</u>
20	Total all funds - Adjustments/enhancements	\$839,554
21	Less estimated income - Adjustments/enhancements	<u>2,500</u>
22	Total general fund - Adjustments/enhancements	\$837,054

23 Subdivision 2.

24 DISTRICT COURTS

25	Salaries and wages	\$2,817,570
26	Operating expenses	(3,237,596)
27	Capital assets	121,000
28	Indigent defense - July 1, 2005 - December 31, 2005	2,860,499
29	Indigent defense - January 1, 2006 - June 30, 2007	6,997,869
30	Judges retirement	(127,041)
31	UND-central legal research	0

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1	Alternative dispute resolution	<u>0</u>
2	Total all funds - Adjustments/enhancements	\$9,432,301
3	Less estimated income - Adjustments/enhancements	<u>471,862</u>
4	Total general fund - Adjustments/enhancements	\$8,960,439

5 Subdivision 3.

6 JUDICIAL CONDUCT COMMISSION AND DISCIPLINARY BOARD

7	Judicial conduct commission and disciplinary board	<u>\$65,257</u>
8	Total all funds - Adjustments/enhancements	\$65,257
9	Less estimated income - Adjustments/enhancements	<u>5,034</u>
10	Total general fund - Adjustments/enhancements	\$60,223
11	Total general fund - Section 2	\$9,857,716
12	Total other funds - Section 2	\$479,396
13	Total all funds - Section 2	\$10,337,112

14 **SECTION 3. APPROPRIATION.** The funds provided in this section, or so much of the
15 funds as may be necessary, are appropriated out of any moneys in the general fund in the state
16 treasury, not otherwise appropriated, and from special funds derived from federal funds and
17 other income, to the judicial branch for the purpose of defraying the expenses of its various
18 divisions, for the biennium beginning July 1, 2005, and ending June 30, 2007, as follows:

19 Subdivision 1.

20 SUPREME COURT

21	Salaries and wages	\$6,415,940
22	Operating expenses	1,927,261
23	Capital assets	8,000
24	Judges retirement	<u>133,615</u>
25	Total all funds	\$8,484,816
26	Less estimated income	<u>2,500</u>
27	Total general fund appropriation	\$8,482,316

28 Subdivision 2.

29 DISTRICT COURTS

30	Salaries and wages	\$36,730,750
31	Operating expenses	10,794,780

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1	Capital assets	195,500
2	Indigent defense - July 1, 2005 - December 31, 2005	2,860,499
3	Indigent defense - January 1, 2006 - June 30, 2007	6,997,869
4	Judges retirement	699,903
5	UND-central legal research	80,000
6	Alternative dispute resolution	<u>20,000</u>
7	Total all funds	\$58,379,301
8	Less estimated income	<u>2,234,597</u>
9	Total general fund appropriation	\$56,144,704
10	Subdivision 3.	
11	JUDICIAL CONDUCT COMMISSION AND DISCIPLINARY BOARD	
12	Judicial conduct commission and disciplinary board	<u>\$603,900</u>
13	Total all funds	\$603,900
14	Less estimated income	<u>285,835</u>
15	Total general fund appropriation	\$318,065
16	Grand total general fund appropriation - S.B. 2002	\$64,945,085
17	Grand total other funds appropriation - S.B. 2002	\$2,522,932
18	Grand total all funds appropriation - S.B. 2002	\$67,468,017

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 two thousand two hundred
3 ~~eighty-nine~~ ninety-six dollars through June 30, ~~2002~~ 2006, and ~~ninety-nine~~ one hundred six
4 thousand one hundred ~~twenty-two~~ eighty dollars thereafter. The chief justice of the supreme
5 court is entitled to receive an additional two thousand ~~five~~ nine hundred ~~sixty-nine~~ eighty-six
6 dollars per annum through June 30, ~~2002~~ 2006, and ~~two~~ three thousand ~~eight~~ one hundred
7 ~~ninety-nine~~ five 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-three thousand ~~seven hundred sixty-five~~ three hundred
12 ninety-one dollars through June 30, ~~2002~~ 2006, and ~~ninety~~ ninety-seven thousand ~~six hundred~~
13 ~~seventy-one~~ one hundred twenty-seven dollars thereafter. Each district judge is entitled to
14 travel expenses including mileage and subsistence while engaged in the discharge of official
15 duties outside the city in which the judge's chambers are located. The salary and expenses are
16 payable monthly in the manner provided by law. A presiding judge of a judicial district is
17 entitled to receive an additional ~~one~~ two thousand ~~nine~~ seven hundred ~~eighty-nine~~ fifty-two
18 dollars per annum, through June 30, ~~2002~~ 2006, and two thousand ~~six~~ eight hundred
19 ~~seventy-two~~ sixty-two dollars thereafter.