

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	\$6,522,911
11 Operating expenses	1,924,761
12 Capital assets	8,000
13 Judges retirement	<u>134,931</u>
14 Total general fund - Base level	\$8,590,603

15 Subdivision 2.

16 DISTRICT COURTS	
17 Salaries and wages	\$36,952,288
18 Operating expenses	11,222,655
19 Capital assets	185,500
20 Judges retirement	706,771
21 UND-central legal research	80,000
22 Alternative dispute resolution	<u>20,000</u>
23 Total all funds - Base level	\$49,167,214

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1	Less estimated income - Base level	<u>1,219,957</u>
2	Total general fund - Base level	\$47,947,257
3	Subdivision 3.	
4	JUDICIAL CONDUCT COMMISSION AND DISCIPLINARY BOARD	
5	Judicial conduct commission and disciplinary board	<u>\$607,530</u>
6	Total all funds - Base level	\$607,530
7	Less estimated income - Base level	<u>287,521</u>
8	Total general fund - Base level	\$320,009
9	Total general fund - Section 1	\$56,857,869
10	Total other funds - Section 1	\$1,507,478
11	Total all funds - Section 1	\$58,365,347

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

16 Subdivision 1.

17 SUPREME COURT

18	Salaries and wages	\$580,001
19	Operating expenses	224,424
20	Capital assets	88,000
21	Judges retirement	<u>(12,700)</u>
22	Total all funds - Adjustments/enhancements	\$879,725
23	Total general fund - Adjustments/enhancements	\$879,725

24 Subdivision 2.

25 DISTRICT COURTS

26	Salaries and wages	\$5,353,145
27	Operating expenses	3,412,776
28	Capital assets	273,083
29	Judges retirement	(2,952)
30	UND-central legal research	0
31	Alternative dispute resolution	0

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1	Mediation	<u>1,076,824</u>
2	Total all funds - Adjustments/enhancements	\$10,112,876
3	Less estimated income - Adjustments/enhancements	<u>681,721</u>
4	Total general fund - Adjustments/enhancements	\$9,431,155

5 Subdivision 3.

6 JUDICIAL CONDUCT COMMISSION AND DISCIPLINARY BOARD

7	Judicial conduct commission and disciplinary board	<u>\$110,424</u>
8	Total all funds - Adjustments/enhancements	\$110,424
9	Less estimated income - Adjustments/enhancements	<u>11,835</u>
10	Total general fund - Adjustments/enhancements	\$98,589
11	Total general fund - Section 2	\$10,409,469
12	Total other funds - Section 2	\$693,556
13	Total all funds - Section 2	\$11,103,025

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, 2007, and ending June 30, 2009, as follows:

19 Subdivision 1.

20 SUPREME COURT

21	Salaries and wages	\$7,102,912
22	Operating expenses	2,149,185
23	Capital assets	96,000
24	Judges retirement	<u>122,231</u>
25	Total all funds	\$9,470,328
26	Total general fund appropriation	\$9,470,328

27 Subdivision 2.

28 DISTRICT COURTS

29	Salaries and wages	\$42,305,433
30	Operating expenses	14,635,431
31	Capital assets	458,583

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1	Judges retirement	703,819
2	UND-central legal research	80,000
3	Alternative dispute resolution	20,000
4	Mediation	<u>1,076,824</u>
5	Total all funds	\$59,280,090
6	Less estimated income	<u>1,901,678</u>
7	Total general fund appropriation	\$57,378,412

8 Subdivision 3.

9 JUDICIAL CONDUCT COMMISSION AND DISCIPLINARY BOARD

10	Judicial conduct commission and disciplinary board	<u>\$717,954</u>
11	Total all funds	\$717,954
12	Less estimated income	<u>299,356</u>
13	Total general fund appropriation	\$418,598
14	Grand total general fund appropriation	\$67,267,338
15	Grand total other funds appropriation	\$2,201,034
16	Grand total all funds appropriation	\$69,468,372

17 **SECTION 4. APPROPRIATION.** There are appropriated any funds received by the
18 supreme court, district courts, and judicial conduct commission and disciplinary board, not
19 otherwise appropriated, pursuant to federal acts and private gifts, grants, and donations for the
20 purpose as designated in the federal acts or private gifts, grants, and donations for the period
21 beginning July 1, 2007, and ending June 30, 2009.

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

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

29 **27-02-02. Salaries of justices of supreme court.** The annual salary of each justice of
30 the supreme court is one hundred ~~three~~ thirteen thousand ~~eighty-seven~~ six hundred forty-two
31 dollars through June 30, ~~2006~~ 2008, and one hundred ~~seven~~ twenty-one thousand ~~two~~ five

1 hundred ~~ten~~ ninety-seven dollars thereafter. The chief justice of the supreme court is entitled to
2 receive an additional three thousand ~~fifteen~~ three hundred twenty-four dollars per annum
3 through June 30, ~~2006~~ 2008, and three thousand ~~one~~ five hundred ~~thirty-six~~ fifty-seven dollars
4 per annum thereafter.

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

7 **27-05-03. Salaries and expenses of district judges.** The annual salary of each
8 district judge is ~~ninety-four~~ one hundred three thousand two ~~nine~~ nine hundred ~~ninety-eight~~ fifty-four
9 dollars through June 30, ~~2006~~ 2008, and ~~ninety-eight~~ one hundred eleven thousand ~~seventy~~
10 two hundred thirty dollars thereafter. Each district judge is entitled to travel expenses, including
11 mileage and subsistence while engaged in the discharge of official duties outside the city in
12 which the judge's chambers are located. The salary and expenses are payable monthly in the
13 manner provided by law. A presiding judge of a judicial district is entitled to receive an
14 additional ~~two~~ three thousand ~~seven hundred seventy-nine~~ sixty-three dollars per annum
15 through June 30, ~~2006~~ 2008, and ~~two~~ three thousand ~~eight~~ two hundred ~~ninety~~ seventy-eight
16 dollars thereafter.