

HOUSE BILL NO. 1002

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. APPROPRIATION.** The funds provided in this section, or so much of the funds
6 as may be necessary, are appropriated out of any moneys in the general fund in the state
7 treasury, not otherwise appropriated, and from special funds derived from federal funds and
8 other income, to the judicial branch for the purpose of defraying the expenses of that agency, for
9 the biennium beginning July 1, 2011, and ending June 30, 2013, as follows:

10 Subdivision 1.

11 SUPREME COURT

	Base Level	Adjustments or Enhancements	Appropriation
14 Salaries and wages	\$8,189,996	\$975,931	\$9,165,927
15 <u>Salaries and wages</u>	<u>\$8,189,996</u>	<u>\$926,655</u>	<u>\$9,116,651</u>
16 Operating expenses	2,197,376	157,742	2,355,118
17 <u>Operating expenses</u>	<u>2,197,376</u>	<u>117,742</u>	<u>2,315,118</u>
18 Capital assets	0	27,500	27,500
19 <u>Capital assets</u>	<u>0</u>	<u>25,000</u>	<u>25,000</u>
20 Judges retirement	127,021	13,941	140,962
21 <u>Judges retirement</u>	<u>127,021</u>	<u>11,084</u>	<u>138,105</u>
22 Total general fund	\$10,514,393	\$1,175,114	\$11,689,507
23 <u>Total general fund</u>	<u>\$10,514,393</u>	<u>\$1,080,481</u>	<u>\$11,594,874</u>

24 Subdivision 2.

DISTRICT COURTS

		Adjustments or		
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>	
4	Salaries and wages	\$48,980,255	\$5,925,972	\$54,906,227
5	Salaries and wages	\$48,980,255	\$5,071,847	\$54,052,102
6	Operating expenses	14,633,423	2,425,099	17,058,522
7	Operating expenses	14,633,423	2,225,099	16,858,522
8	Capital assets	0	694,480	694,480
9	Capital assets	0	676,480	676,480
10	Judges retirement	533,705	(40,513)	493,192
11	Judges retirement	533,705	(54,708)	478,997
12	UND central legal research	80,000	0	80,000
13	Alternative dispute resolution	20,000	(20,000)	0
14	Mediation	<u>792,036</u>	<u>77,628</u>	<u>869,664</u>
15	Total all funds	\$65,039,419	\$9,062,666	\$74,102,085
16	Total all funds	\$65,039,419	\$7,976,346	\$73,015,765
17	Less estimated income	<u>1,770,461</u>	<u>86,314</u>	<u>1,856,775</u>
18	Total general fund	\$63,268,958	\$8,976,352	\$72,245,310
19	Total general fund	\$63,268,958	\$7,890,032	\$71,158,990

Subdivision 3.

JUDICIAL CONDUCT COMMISSION AND DISCIPLINARY BOARD

		Adjustments or		
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>	
24	Judicial conduct commission and	<u>\$813,629</u>	<u>\$76,326</u>	<u>\$889,955</u>
25	disciplinary board			
26	Total all funds	\$813,629	\$76,326	\$889,955
27	Less estimated income	<u>314,346</u>	<u>11,153</u>	<u>325,499</u>
28	Total general fund	\$499,283	\$65,173	\$564,456

Subdivision 4.

BILL TOTAL

	Base Level	Adjustments or Enhancements	Appropriation
3	\$74,282,634	\$10,216,639	\$84,499,273
4	\$74,282,634	\$9,035,686	\$83,318,320
5	2,084,807	97,467	2,182,274
6	\$76,367,441	\$10,314,106	\$86,681,547
7	\$76,367,441	\$9,133,153	\$85,500,594
8	342.00	4.00	346.00
9	342.00	1.00	343.00

SECTION 2. APPROPRIATION. There are appropriated any funds received by the supreme court, district courts, and judicial conduct commission and disciplinary board, not otherwise appropriated, pursuant to federal acts and private gifts, grants, and donations for the purpose as designated in the federal acts or private gifts, grants, and donations for the period beginning July 1, 2011, and ending June 30, 2013.

SECTION 3. TRANSFERS. The director of the office of management and budget and the state treasurer shall make such transfer of funds between line items of appropriation for the judicial branch of government as may be requested by the supreme court upon a finding by the court that the nature of the duties of the court and its staff requires the transfers to carry on properly the functions of the judicial branch of government.

SECTION 4. AMENDMENT. Section 27-02-02 of the North Dakota Century Code is amended and reenacted as follows:

27-02-02. Salaries of justices of supreme court.

The annual salary of each justice of the supreme court is one hundred ~~twenty-four~~~~thirty-six~~~~thirty-four~~ thousand ~~twenty-seven~~~~seven~~~~one~~ hundred ~~thirty-nine~~~~thirty-five~~ dollars through June 30, 2010~~2012~~, and one hundred ~~thirty~~~~forty-three~~~~thirty-eight~~ thousand ~~two~~~~five~~~~one~~ hundred ~~twenty-eight~~~~seventy-six~~~~fifty-nine~~ dollars thereafter. The chief justice of the supreme court is entitled to receive an additional three thousand ~~five~~~~nine~~~~eight~~ hundred ~~sixty-two~~~~twenty-seven~~~~fifty-two~~ dollars per annum through June 30, 2010~~2012~~, and ~~three~~~~four~~ thousand ~~seven~~~~one~~~~nine~~ hundred ~~forty~~~~twenty-three~~~~sixty-eight~~ dollars per annum thereafter.

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

1 **27-05-03. Salaries and expenses of district judges.**

2 The annual salary of each district judge is one hundred ~~thirteen~~twenty-fivetwenty-two
3 thousand ~~six~~twonine hundred ~~forty-eight~~ninety-seventen dollars through June 30, ~~2010~~2012,
4 and one hundred ~~nineteen~~thirty-onetwenty-six thousand ~~three~~five hundred
5 ~~thirty~~sixty-twoninety-seven dollars thereafter. Each district judge is entitled to travel expenses,
6 including mileage and subsistence while engaged in the discharge of official duties outside the
7 city in which the judge's chambers are located. The salary and expenses are payable monthly in
8 the manner provided by law. A presiding judge of a judicial district is entitled to receive an
9 additional three thousand ~~two~~sixfive hundred ~~eighty-two~~nineteenfifty dollars per annum through
10 June 30, ~~2010~~2012, and three thousand ~~four~~eightsix hundred ~~forty-seven~~fifty-seven dollars
11 thereafter.

12 **SECTION 6. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO**

13 **SIXTY-THIRD LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time funding
14 items approved by the sixty-first legislative assembly for the 2009-11 biennium and the 2011-13
15 one-time funding items included in the appropriation in section 1 of this Act:

16	<u>One-Time Funding Description</u>	<u>2009-11</u>	<u>2011-13</u>
17	Unified case management system	\$7,258,129	\$0
18	replacement project		
19	Management reserve fund	600,000	0
20	Parenting coordinator training	52,040	0
21	Disaster recovery study	0	100,000
22	Caseload studies	0	300,000
23	<u>Studies on work assessment and racial and</u>	<u>0</u>	<u>200,000</u>
24	<u>ethical bias in the courts</u>		
25	Office equipment and furniture	288,124	187,500
26	<u>Office equipment and furniture</u>	<u>288,124</u>	<u>185,000</u>
27	Information technology equipment	109,088	534,480
28	<u>Information technology equipment</u>	<u>109,088</u>	<u>516,480</u>
29	Total general fund	\$8,307,381	\$1,121,980
30	<u>Total general fund</u>	<u>\$8,307,381</u>	<u>\$901,480</u>

Sixty-second
Legislative Assembly

- 1 The 2011-13 one-time funding amounts are not part of the entity's base budget for the 2013-15
- 2 biennium. The supreme court shall report to the appropriations committees of the sixty-third
- 3 legislative assembly on the use of this one-time funding for the biennium beginning July 1, 2011,
- 4 and ending June 30, 2013.