

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. 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,
9 for the biennium beginning July 1, 2013, and ending June 30, 2015.

10 Subdivision 1.

11 SUPREME COURT

		Adjustments or	
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
12			
13			
14	Salaries and wages	\$3,567,908	\$12,684,559
15	Operating expenses	439,136	2,754,254
16	Capital assets	15,000	15,000
17	Judges retirement	(61,621)	76,484
18	Total general fund	\$3,960,423	\$15,530,297

19 Subdivision 2.

20 DISTRICT COURTS

		Adjustments or	
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
21			
22			
23	Salaries and wages	\$6,182,354	\$60,398,498
24	Operating expenses	3,503,891	20,162,413

Sixty-third
Legislative Assembly

1	Capital assets	0	833,026	833,026
2	Judges retirement	478,997	31,795	510,792
3	UND central legal research	80,000	0	80,000
4	Mediation	<u>869,664</u>	<u>219,564</u>	<u>1,089,228</u>
5	Total all funds	\$72,303,327	\$10,770,630	\$83,073,957
6	Less estimated income	<u>1,856,775</u>	<u>(48,685)</u>	<u>1,808,090</u>
7	Total general fund	\$70,446,552	\$10,819,315	\$81,265,867

8 Subdivision 3.

9 JUDICIAL CONDUCT COMMISSION AND DISCIPLINARY BOARD

10			Adjustments or	
11		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
12	Judicial conduct commission and	<u>\$889,955</u>	<u>\$98,632</u>	<u>\$988,587</u>
13	disciplinary board			
14	Total all funds	\$889,955	\$98,632	\$988,587
15	Less estimated income	<u>325,499</u>	<u>42,000</u>	<u>367,499</u>
16	Total general fund	\$564,456	\$56,632	\$621,088

17 Subdivision 4.

18 BILL TOTAL

19			Adjustments or	
20		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
21	Grand total general fund	\$82,580,882	\$14,836,370	\$97,417,252
22	Grand total special funds	<u>2,182,274</u>	<u>(6,685)</u>	<u>2,175,589</u>
23	Grand total all funds	\$84,763,156	\$14,829,685	\$99,592,841
24	Full-time equivalent positions	344.00	15.00	359.00

25 **SECTION 2. APPROPRIATION.** There are appropriated any funds received by the
 26 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
 29 biennium beginning July 1, 2013, and ending June 30, 2015.

30 **SECTION 3. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO**
 31 **SIXTY-FOURTH LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time

1 funding items approved by the sixty-second legislative assembly for the 2011-13 biennium and
2 the 2013-15 one-time funding items included in the appropriation in section 1 of this Act:

3	<u>One-Time Funding Description</u>	<u>2011-13</u>	<u>2013-15</u>
4	Studies on work assessment and	\$200,000	\$0
5	racial and ethnic bias in the courts		
6	Office equipment and furniture	185,000	331,470
7	Information technology equipment	516,480	516,556
8	Juvenile case management system	0	90,000
9	replacement study		
10	Disaster recovery planning	0	95,000
11	Criminal justice information sharing	<u>0</u>	<u>139,850</u>
12	publisher project		
13	Total general fund	\$901,480	\$1,172,876

14 The 2013-15 one-time funding amounts are not a part of the entity's base budget for the
15 2015-17 biennium. The supreme court shall report to the appropriations committees of the
16 sixty-fourth legislative assembly on the use of this one-time funding for the biennium beginning
17 July 1, 2013, and ending June 30, 2015.

18 **SECTION 4. TRANSFERS.** The director of the office of management and budget and the
19 state treasurer shall make such transfer of funds between line items of appropriation for the
20 judicial branch of government as may be requested by the supreme court upon a finding by the
21 court that the nature of the duties of the court and its staff requires the transfers to carry on
22 properly the functions of the judicial branch of government.

23 **SECTION 5. AMENDMENT.** Section 27-02-02 of the North Dakota Century Code is
24 amended and reenacted as follows:

25 **27-02-02. Salaries of justices of supreme court.**

26 The annual salary of each justice of the supreme court is one hundred ~~thirty-four~~forty-five
27 thousand ~~one hundred thirty-five~~sixty-seven dollars through June 30, ~~2012~~2014, and one
28 hundred ~~thirty-eight~~fifty-two thousand ~~one~~three hundred ~~fifty-nine~~twenty dollars thereafter. The
29 chief justice of the supreme court is entitled to receive an additional ~~three~~four thousand
30 ~~eight~~one hundred ~~fifty-two~~sixty-six dollars per annum through June 30, ~~2012~~2014, and ~~three~~four
31 thousand ~~nine~~three hundred ~~sixty-eight~~seventy-five dollars per annum thereafter.

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

3 **27-05-03. Salaries and expenses of district judges.**

4 The annual salary of each district judge is one hundred ~~twenty-two~~thirty-two thousand nine
5 hundred ~~ten~~twenty-seven dollars through June 30, ~~2012~~2014, and one hundred
6 ~~twenty-six~~thirty-nine thousand five hundred ~~ninety-seven~~seventy-three dollars thereafter. Each
7 district judge is entitled to travel expenses, including mileage and subsistence while engaged in
8 the discharge of official duties outside the city in which the judge's chambers are located. The
9 salary and expenses are payable monthly in the manner provided by law. A presiding judge of a
10 judicial district is entitled to receive an additional three thousand ~~five~~eight hundred ~~fifty~~forty
11 dollars per annum through June 30, ~~2012~~2014, and ~~three~~four thousand ~~six~~hundred
12 ~~fifty-seven~~thirty-two dollars thereafter.