

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

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
14 Salaries and wages	\$9,116,651	\$3,567,908	\$12,684,559
15 <u>Salaries and wages</u>	<u>\$9,116,651</u>	<u>\$3,541,308</u>	<u>\$12,657,959</u>
16 Operating expenses	2,315,118	439,136	2,754,254
17 Capital assets	0	15,000	15,000
18 Judges retirement	138,105	(61,621)	76,484
19 <u>Judges retirement</u>	<u>138,105</u>	<u>(62,719)</u>	<u>75,386</u>
20 Total general fund	\$11,569,874	\$3,960,423	\$15,530,297
21 <u>Total general fund</u>	<u>\$11,569,874</u>	<u>\$3,932,725</u>	<u>\$15,502,599</u>

22 Subdivision 2.

23 DISTRICT COURTS

Sixty-third
Legislative Assembly

		Adjustments or		
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>	
3	Salaries and wages	\$54,216,144	\$6,182,354	\$60,398,498
4	<u>Salaries and wages</u>	<u>\$54,216,144</u>	<u>\$5,967,754</u>	<u>\$60,183,898</u>
5	Operating expenses	16,658,522	3,503,891	20,162,413
6	Capital assets	0	833,026	833,026
7	Judges retirement	478,997	31,795	510,792
8	<u>Judges retirement</u>	<u>478,997</u>	<u>24,421</u>	<u>503,418</u>
9	UND central legal research	80,000	0	80,000
10	Mediation	869,664	219,564	1,089,228
11	Total all funds	\$72,303,327	\$10,770,630	\$83,073,957
12	<u>Total all funds</u>	<u>\$72,303,327</u>	<u>\$10,548,656</u>	<u>\$82,851,983</u>
13	Less estimated income	1,856,775	(48,685)	1,808,090
14	Total general fund	\$70,446,552	\$10,819,315	\$81,265,867
15	<u>Total general fund</u>	<u>\$70,446,552</u>	<u>\$10,597,341</u>	<u>\$81,043,893</u>

Subdivision 3.

JUDICIAL CONDUCT COMMISSION AND DISCIPLINARY BOARD

		Adjustments or		
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>	
20	Judicial conduct commission and	<u>\$889,955</u>	<u>\$98,632</u>	<u>\$988,587</u>
21	disciplinary board			
22	Total all funds	\$889,955	\$98,632	\$988,587
23	Less estimated income	<u>325,499</u>	<u>42,000</u>	<u>367,499</u>
24	Total general fund	\$564,456	\$56,632	\$621,088

Subdivision 4.

BILL TOTAL

		Adjustments or		
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>	
29	Grand total general fund	\$82,580,882	\$14,836,370	\$97,417,252

1	<u>Grand total general fund</u>	<u>\$82,580,882</u>	<u>\$14,586,698</u>	<u>\$97,167,580</u>
2	Grand total special funds	2,182,274	(6,685)	2,175,589
3	Grand total all funds	\$84,763,156	\$14,829,685	\$99,592,841
4	<u>Grand total all funds</u>	<u>\$84,763,156</u>	<u>\$14,580,013</u>	<u>\$99,343,169</u>
5	Full-time equivalent positions	344.00	15.00	359.00

6 **SECTION 2. APPROPRIATION.** There are appropriated any funds received by the
7 supreme court, district courts, and judicial conduct commission and disciplinary board, not
8 otherwise appropriated, pursuant to federal acts and private gifts, grants, and donations for the
9 purpose as designated in the federal acts or private gifts, grants, and donations for the
10 biennium beginning July 1, 2013, and ending June 30, 2015.

11 **SECTION 3. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO**
12 **SIXTY-FOURTH LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time
13 funding items approved by the sixty-second legislative assembly for the 2011-13 biennium and
14 the 2013-15 one-time funding items included in the appropriation in section 1 of this Act:

15	<u>One-Time Funding Description</u>	<u>2011-13</u>	<u>2013-15</u>
16	Studies on work assessment and	\$200,000	\$0
17	racial and ethnic bias in the courts		
18	Office equipment and furniture	185,000	331,470
19	Information technology equipment	516,480	516,556
20	Juvenile case management system	0	90,000
21	replacement study		
22	Disaster recovery planning	0	95,000
23	Criminal justice information sharing	<u>0</u>	<u>139,850</u>
24	publisher project		
25	Total general fund	\$901,480	\$1,172,876

26 The 2013-15 one-time funding amounts are not a part of the entity's base budget for the
27 2015-17 biennium. The supreme court shall report to the appropriations committees of the
28 sixty-fourth legislative assembly on the use of this one-time funding for the biennium beginning
29 July 1, 2013, and ending June 30, 2015.

30 **SECTION 4. TRANSFERS.** The director of the office of management and budget and the
31 state treasurer shall make such transfer of funds between line items of appropriation for the

1 judicial branch of government as may be requested by the supreme court upon a finding by the
2 court that the nature of the duties of the court and its staff requires the transfers to carry on
3 properly the functions of the judicial branch of government.

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

6 **27-02-02. Salaries of justices of supreme court.**

7 The annual salary of each justice of the supreme court is one hundred ~~thirty-~~
8 ~~four~~forty-five~~forty-three~~ thousand one hundred ~~thirty-five~~sixty-seven~~six~~ hundred ~~eighty-five~~
9 dollars through June 30, 20122014, and one hundred ~~thirty-eight~~fifty-two~~forty-nine~~ thousand
10 one ~~three~~four hundred ~~fifty-nine~~twenty~~thirty-three~~ dollars thereafter. The chief justice of the
11 supreme court is entitled to receive an additional ~~three~~four thousand ~~eight~~one hundred ~~fifty-~~
12 ~~two~~sixty-six~~twenty-seven~~ dollars per annum through June 30, 20122014, and ~~three~~four
13 thousand ~~nine~~three~~two~~ hundred ~~sixty-eight~~seventy-five~~ninety-two~~ dollars per annum thereafter.

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

16 **27-05-03. Salaries and expenses of district judges.**

17 The annual salary of each district judge is one hundred ~~twenty-two~~thirty-two~~thirty-one~~
18 thousand ~~nine~~six hundred ~~ten~~twenty-seven~~sixty-one~~ dollars through June 30, 20122014, and
19 one hundred ~~twenty-six~~thirty-nine~~thirty-six~~ thousand ~~five~~nine hundred
20 ~~ninety-seven~~seventy-three~~twenty-seven~~ dollars thereafter. Each district judge is entitled to travel
21 expenses, including mileage and subsistence while engaged in the discharge of official duties
22 outside the city in which the judge's chambers are located. The salary and expenses are
23 payable monthly in the manner provided by law. A presiding judge of a judicial district is entitled
24 to receive an additional three thousand ~~five~~eight hundred ~~fifty~~forty~~three~~ dollars per annum
25 through June 30, 20122014, and ~~three~~four thousand ~~six~~ hundred ~~fifty-seven~~thirty-two~~nine~~
26 hundred fifty-five dollars thereafter.