

Sixty-third  
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. 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	\$9,116,651	\$3,541,308	\$12,657,959
15	Operating expenses	2,315,118	439,136	2,754,254
16	Capital assets	0	15,000	15,000
17	Judges retirement	<u>138,105</u>	<u>(62,719)</u>	<u>75,386</u>
18	Total general fund	\$11,569,874	\$3,932,725	\$15,502,599

19 Subdivision 2.

20 DISTRICT COURTS

		Adjustments or		
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>	
21				
22				
23	Salaries and wages	\$54,216,144	\$5,967,754	\$60,183,898
24	Operating expenses	16,658,522	3,503,891	20,162,413

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1	Capital assets	0	833,026	833,026
2	Judges retirement	478,997	24,421	503,418
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	\$10,548,656	\$82,851,983
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	\$10,597,341	\$81,043,893

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	\$14,586,698	\$97,167,580
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	\$14,580,013	\$99,343,169
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-three  
27 thousand ~~one hundred thirty-five~~six hundred eighty-five dollars through June 30, ~~2012~~2014, and  
28 one hundred ~~thirty-eight~~forty-nine thousand ~~one~~four hundred ~~fifty-nine~~thirty-three dollars  
29 thereafter. The chief justice of the supreme court is entitled to receive an additional ~~three~~four  
30 thousand ~~eight~~one hundred ~~fifty-two~~twenty-seven dollars per annum through June 30,

1 ~~2012~~2014, and ~~three~~four thousand ~~nine~~two hundred ~~sixty-eight~~ninety-two dollars per annum  
2 thereafter.

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

5 **27-05-03. Salaries and expenses of district judges.**

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