

**Sixty-fifth Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 3, 2017**

SENATE BILL NO. 2002
(Appropriations Committee)

AN ACT to provide an appropriation for defraying the expenses of the judicial branch; to provide a transfer; and to provide for a legislative management study.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. APPROPRIATION. The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income, to the judicial branch for the purpose of defraying the expenses of the judicial branch for the biennium beginning July 1, 2017, and ending June 30, 2019, as follows:

Subdivision 1.

SUPREME COURT

| | <u>Base Level</u> | <u>Adjustments or Enhancements</u> | <u>Appropriation</u> |
|---------------------------------|-------------------|--|----------------------|
| Salaries and wages | \$11,059,109 | (\$149,997) | \$10,909,112 |
| Operating expenses | 2,483,980 | 247,602 | 2,731,582 |
| Judges' retirement | 79,588 | 1,176 | 80,764 |
| Guardianship monitoring program | <u>228,789</u> | <u>87,415</u> | <u>316,204</u> |
| Total general fund | \$13,851,466 | \$186,196 | \$14,037,662 |

Subdivision 2.

DISTRICT COURTS

| | <u>Base Level</u> | <u>Adjustments or Enhancements</u> | <u>Appropriation</u> |
|--|-------------------|--|----------------------|
| Salaries and wages | \$68,669,330 | (\$1,066,702) | \$67,602,628 |
| Operating expenses | 19,930,733 | 950,474 | 20,881,207 |
| Judges' retirement | 343,649 | (359) | 343,290 |
| University of North Dakota central legal research | <u>80,000</u> | <u>(40,000)</u> | <u>40,000</u> |
| Total all funds | \$89,023,712 | (\$156,587) | \$88,867,125 |
| Less estimated income | <u>1,922,150</u> | <u>(583,012)</u> | <u>1,339,138</u> |
| Total general fund | \$87,101,562 | \$426,425 | \$87,527,987 |

Subdivision 3.

JUDICIAL CONDUCT COMMISSION AND DISCIPLINARY BOARD

| | <u>Base Level</u> | <u>Adjustments or Enhancements</u> | <u>Appropriation</u> |
|---|--------------------|--|----------------------|
| Judicial conduct commission and disciplinary board | <u>\$1,082,762</u> | <u>\$92,060</u> | <u>\$1,174,822</u> |
| Total all funds | \$1,082,762 | \$92,060 | \$1,174,822 |
| Less estimated income | <u>444,656</u> | <u>38,045</u> | <u>482,701</u> |
| Total general fund | \$638,106 | \$54,015 | \$692,121 |

Subdivision 4.

BILL TOTAL

| | <u>Base Level</u> | <u>Adjustments or Enhancements</u> | <u>Appropriation</u> |
|--------------------------------|-------------------|--|----------------------|
| Grand total general fund | \$101,591,134 | \$666,636 | \$102,257,770 |
| Grand total special funds | <u>2,366,806</u> | <u>(544,967)</u> | <u>1,821,839</u> |
| Grand total all funds | \$103,957,940 | \$121,669 | \$104,079,609 |
| Full-time equivalent positions | 391.00 | (35.50) | 355.50 |

SECTION 2. HEALTH INSURANCE INCREASE. The appropriation in section 1 of this Act includes the sum of \$950,356 from the general fund for increases in employee health insurance premiums from \$1,130 to \$1,241 per month.

SECTION 3. ONE-TIME FUNDING. The following amounts reflect the one-time funding items approved by the sixty-fourth legislative assembly as adjusted for the 2015-17 biennium:

| <u>One-Time Funding Description</u> | <u>2015-17</u> | <u>2017-19</u> |
|-------------------------------------|------------------|----------------|
| Information technology equipment | \$623,460 | \$0 |
| Disaster recovery project | 1,825,000 | 0 |
| Criminal eFile initiation | 99,000 | 0 |
| Facility space expansion | <u>1,115,070</u> | <u>0</u> |
| Total general fund | \$3,662,530 | \$0 |

SECTION 4. 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, 2017, and ending June 30, 2019.

SECTION 5. 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 6. UNIVERSITY OF NORTH DAKOTA CENTRAL LEGAL RESEARCH - MATCHING FUND REQUIREMENT. Subdivision 2 of section 1 of this Act includes \$40,000 from the general fund for university of North Dakota central legal research, which may not be spent until the chief justice of the supreme court certifies to the office of management and budget that \$40,000 in matching funds from nonstate sources have been provided to the university of North Dakota for central legal research.

SECTION 7. LEGISLATIVE MANAGEMENT STUDY. During the 2017-18 interim, the legislative management shall consider studying fees charged by the judicial branch, including fees charged by the clerk of district court under section 27-05.2-03. The legislative management shall report its findings and recommendations, together with any legislation necessary to implement the recommendations, to the sixty-sixth legislative assembly.

President of the Senate

Speaker of the House

Secretary of the Senate

Chief Clerk of the House

This certifies that the within bill originated in the Senate of the Sixty-fifth Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2002.

Senate Vote: Yeas 46 Nays 0 Absent 1

House Vote: Yeas 83 Nays 7 Absent 4

Secretary of the Senate

Received by the Governor at _____ M. on _____, 2017.

Approved at _____ M. on _____, 2017.

Governor

Filed in this office this _____ day of _____, 2017,

at _____ o'clock _____ M.

Secretary of State