

STATEMENT OF PURPOSE OF AMENDMENT:**Senate Bill No. 2002 - Funding Summary**

| | Executive Budget | Final Legislative Action | Comparison To Executive Budget |
|---|-----------------------------|---|---|
| Supreme Court | | | |
| Salaries and wages | \$6,471,084 | \$6,410,450 | (\$60,634) |
| Operating expenses | 1,927,261 | 1,927,261 | |
| Capital assets | 8,000 | 8,000 | |
| Judges retirement | 137,274 | 133,615 | (3,659) |
| Total all funds | <u>\$8,543,619</u> | <u>\$8,479,326</u> | <u>(\$64,293)</u> |
| Less estimated income | 2,500 | 2,500 | 0 |
| General fund | <u>\$8,541,119</u> | <u>\$8,476,826</u> | <u>(\$64,293)</u> |
| FTE | 44.50 | 44.50 | 0.00 |
| District Courts | | | |
| Salaries and wages | \$37,100,037 | \$36,694,932 | (\$405,105) |
| Operating expenses | 10,794,780 | 10,694,780 | (100,000) |
| Capital assets | 195,500 | 185,500 | (10,000) |
| Indigent defense - July 2005 - Dec 2005 | 3,149,481 | 2,769,101 | (380,380) |
| Indigent defense - Jan 2006 - June 2007 | 7,864,817 | 6,723,674 | (1,141,143) |
| Judges retirement | 718,997 | 699,903 | (19,094) |
| UND-central legal research | 80,000 | 80,000 | |
| Alternative dispute resolution | 20,000 | 20,000 | |
| Indigent defense commission | | 565,593 | 565,593 |
| Total all funds | <u>\$59,923,612</u> | <u>\$58,433,483</u> | <u>(\$1,490,129)</u> |
| Less estimated income | 2,237,521 | 2,433,917 | 196,396 |
| General fund | <u>\$57,686,091</u> | <u>\$55,999,566</u> | <u>(\$1,686,525)</u> |
| FTE | 283.50 | 283.50 | 0.00 |
| Judicial Conduct Commission | | | |
| Judicial conduct com. & disciplinary board | \$605,926 | \$603,400 | (\$2,526) |
| Total all funds | <u>\$605,926</u> | <u>\$603,400</u> | <u>(\$2,526)</u> |
| Less estimated income | 286,787 | 285,600 | (1,187) |
| General fund | <u>\$319,139</u> | <u>\$317,800</u> | <u>(\$1,339)</u> |
| FTE | 4.00 | 4.00 | 0.00 |
| Bill Total | | | |
| Total all funds | \$69,073,157 | \$67,516,209 | (\$1,556,948) |
| Less estimated income | <u>2,526,808</u> | <u>2,722,017</u> | <u>195,209</u> |
| General fund | <u>\$66,546,349</u> | <u>\$64,794,192</u> | <u>(\$1,752,157)</u> |
| FTE | 332.00 | 332.00 | 0.00 |

Senate Bill No. 2002 - Supreme Court - Senate Action

| | Executive Budget | Senate Changes | Senate Version |
|-----------------------|-----------------------------|---------------------------|---------------------------|
| Salaries and wages | \$6,471,084 | (\$55,144) | \$6,415,940 |
| Operating expenses | 1,927,261 | | 1,927,261 |
| Capital assets | 8,000 | | 8,000 |
| Judges retirement | 137,274 | (3,659) | 133,615 |
| Total all funds | <u>\$8,543,619</u> | <u>(\$58,803)</u> | <u>\$8,484,816</u> |
| Less estimated income | 2,500 | 0 | 2,500 |
| General fund | <u>\$8,541,119</u> | <u>(\$58,803)</u> | <u>\$8,482,316</u> |
| FTE | 44.50 | 0.00 | 44.50 |

Department No. 181 - Supreme Court - Detail of Senate Changes

| | Reduces Compensation Package to 3/4¹ | Total Senate Changes |
|-----------------------|--|---------------------------------|
| Salaries and wages | (\$55,144) | (\$55,144) |
| Operating expenses | | |
| Capital assets | | |
| Judges retirement | <u>(3,659)</u> | <u>(3,659)</u> |
| Total all funds | <u>(\$58,803)</u> | <u>(\$58,803)</u> |
| Less estimated income | 0 | 0 |
| General fund | <u>(\$58,803)</u> | <u>(\$58,803)</u> |
| FTE | 0.00 | 0.00 |

¹ The table below provides salary information for the Supreme Court justices.

| | 2003-05 Biennium Salary | Salary Included in SB 2002 | Salary as Amended (3% and 4%) |
|---|--|---|--|
| Supreme Court Justices | | | |
| First year of biennium | \$99,122 | \$104,851 | \$102,096 |
| Second year of biennium | \$99,122 | \$109,122 | \$106,180 |
| Chief Justice (amount in addition to justice salary) | | | |
| First year of biennium | \$2,899 | \$3,066 | \$2,986 |
| Second year of biennium | \$2,899 | \$3,189 | \$3,105 |

Senate Bill No. 2002 - Supreme Court - House Action

| | Executive Budget | Senate Version | House Changes | House Version |
|-----------------------|-----------------------------|---------------------------|--------------------------|--------------------------|
| Salaries and wages | \$6,471,084 | \$6,415,940 | (\$5,490) | \$6,410,450 |
| Operating expenses | 1,927,261 | 1,927,261 | | 1,927,261 |
| Capital assets | 8,000 | 8,000 | | 8,000 |
| Judges retirement | 137,274 | 133,615 | | 133,615 |
| Total all funds | <u>\$8,543,619</u> | <u>\$8,484,816</u> | <u>(\$5,490)</u> | <u>\$8,479,326</u> |
| Less estimated income | 2,500 | 2,500 | 0 | 2,500 |
| General fund | <u>\$8,541,119</u> | <u>\$8,482,316</u> | <u>(\$5,490)</u> | <u>\$8,476,826</u> |
| FTE | 44.50 | 44.50 | 0.00 | 44.50 |

Department No. 181 - Supreme Court - Detail of House Changes

| | Reduces Recommended Funding for Health Insurance¹ | Total House Changes |
|-----------------------|---|--------------------------------|
| Salaries and wages | (\$5,490) | (\$5,490) |
| Operating expenses | | |
| Capital assets | | |
| Judges retirement | | |
| Total all funds | (\$5,490) | (\$5,490) |
| Less estimated income | 0 | 0 |
| General fund | (\$5,490) | (\$5,490) |
| FTE | 0.00 | 0.00 |

¹ This amendment reduces funding for state employee health insurance premiums from \$559.15 to \$553.95 per month.

Senate Bill No. 2002 - Supreme Court - Conference Committee Action

The Senate acceded to the House amendments.

Senate Bill No. 2002 - District Courts - Senate Action

| | Executive Budget | Senate Changes | Senate Version |
|--|-----------------------------|---------------------------|---------------------------|
| Salaries and wages | \$37,100,037 | (\$369,287) | \$36,730,750 |
| Operating expenses | 10,794,780 | | 10,794,780 |
| Capital assets | 195,500 | | 195,500 |
| Indigent defense - July 2005 - Dec 2005 | 3,149,481 | (288,982) | 2,860,499 |
| Indigent defense - Jan 2006 - June 2007 | 7,864,817 | (866,948) | 6,997,869 |
| Judges retirement | 718,997 | (19,094) | 699,903 |
| UND-central legal research | 80,000 | | 80,000 |
| Alternative dispute resolution | 20,000 | | 20,000 |
| Total all funds | \$59,923,612 | (\$1,544,311) | \$58,379,301 |
| Less estimated income | 2,237,521 | (2,924) | 2,234,597 |
| General fund | \$57,686,091 | (\$1,541,387) | \$56,144,704 |
| FTE | 283.50 | 0.00 | 283.50 |

Department No. 182 - District Courts - Detail of Senate Changes

| | Reduces Compensation Package to 3/4¹ | Reduces Funding for Indigent Defense Contracts² | Total Senate Changes |
|--|--|---|---------------------------------|
| Salaries and wages | (\$369,287) | | (\$369,287) |
| Operating expenses | | | |
| Capital assets | | | |
| Indigent defense - July 2005 - Dec 2005 | | (288,982) | (288,982) |
| Indigent defense - Jan 2006 - June 2007 | | (866,948) | (866,948) |
| Judges retirement | (19,094) | | (19,094) |
| UND-central legal research | | | |
| Alternative dispute resolution | | | |
| Total all funds | (\$388,381) | (\$1,155,930) | (\$1,544,311) |
| Less estimated income | (2,924) | 0 | (2,924) |
| General fund | (\$385,457) | (\$1,155,930) | (\$1,541,387) |
| FTE | 0.00 | 0.00 | 0.00 |

¹ The table below provides salary information for district court judges.

| | 2003-05 Biennium Salary | Salary Included in SB 2002 | Salary as Amended (3% and 4%) |
|---|--|---|--|
| District Court Judges | | | |
| First year of biennium | \$90,671 | \$95,911 | \$93,391 |
| Second year of biennium | \$90,671 | \$99,748 | \$97,127 |
| Presiding Judges (amount in addition to judges salary) | | | |
| First year of biennium | \$2,672 | \$2,826 | \$2,752 |
| Second year of biennium | \$2,672 | \$2,939 | \$2,862 |

² This amendment reduces the funding for indigent defense contracts from a rate of \$75 per hour to \$65 per hour.

Senate Bill No. 2002 - District Courts - House Action

| | Executive Budget | Senate Version | House Changes | House Version |
|--|-----------------------------|---------------------------|--------------------------|--------------------------|
| Salaries and wages | \$37,100,037 | \$36,730,750 | (\$35,818) | \$36,694,932 |
| Operating expenses | 10,794,780 | 10,794,780 | (100,000) | 10,694,780 |
| Capital assets | 195,500 | 195,500 | (10,000) | 185,500 |
| Indigent defense - July 2005 - Dec 2005 | 3,149,481 | 2,860,499 | (91,398) | 2,769,101 |
| Indigent defense - Jan 2006 - June 2007 | 7,864,817 | 6,997,869 | (274,195) | 6,723,674 |
| Judges retirement | 718,997 | 699,903 | | 699,903 |
| UND-central legal research | 80,000 | 80,000 | | 80,000 |
| Alternative dispute resolution | 20,000 | 20,000 | | 20,000 |
| Indigent defense commission | | | 565,593 | 565,593 |
| Total all funds | \$59,923,612 | \$58,379,301 | \$54,182 | \$58,433,483 |
| Less estimated income | 2,237,521 | 2,234,597 | 199,320 | 2,433,917 |
| General fund | \$57,686,091 | \$56,144,704 | (\$145,138) | \$55,999,566 |
| FTE | 283.50 | 283.50 | 0.00 | 283.50 |

Department No. 182 - District Courts - Detail of House Changes

| | Reduces Recommended Funding for Health Insurance ¹ | Reduces Funding for Indigent Defense Overhead Reimbursement ² | Reduces Funding for Indigent Defense Caseload Increases ³ | Removes Funding for Digital Audio System ⁴ | Removes Funding for Interactive Television ⁵ | Provides Funding for Administration of Commission on Legal Counsel for Indigents |
|--|---|--|--|--|--|--|
| Salaries and wages | (\$35,818) | | | | | |
| Operating expenses | | | | (30,000) | (70,000) | |
| Capital assets | | | | (10,000) | | |
| Indigent defense - July 2005 - Dec 2005 | | (28,898) | (62,500) | | | |
| Indigent defense - Jan 2006 - June 2007 | | (86,695) | (187,500) | | | |
| Judges retirement | | | | | | |
| UND-central legal research | | | | | | |
| Alternative dispute resolution | | | | | | |
| Indigent defense commission | | | | | | 565,593 |
| Total all funds | (\$35,818) | (\$115,593) | (\$250,000) | (\$40,000) | (\$70,000) | \$565,593 |
| Less estimated income | (680) | 0 | 0 | 0 | 0 | 200,000 |
| General fund | (\$35,138) | (\$115,593) | (\$250,000) | (\$40,000) | (\$70,000) | \$365,593 |
| FTE | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |

| | Total House Changes |
|--|------------------------|
| Salaries and wages | (\$35,818) |
| Operating expenses | (100,000) |
| Capital assets | (10,000) |
| Indigent defense - July 2005 - Dec 2005 | (91,398) |
| Indigent defense - Jan 2006 - June 2007 | (274,195) |
| Judges retirement | |
| UND-central legal research | |
| Alternative dispute resolution | |
| Indigent defense commission | 565,593 |
| Total all funds | \$54,182 |
| Less estimated income | 199,320 |
| General fund | (\$145,138) |
| FTE | 0.00 |

¹ This amendment reduces funding for state employee health insurance premiums from \$559.15 to \$553.95 per month.

² This amendment reduces funding for indigent defense by a total of \$115,593 from the general fund for the 2005-07 biennium as the result of a decrease in the reimbursement of overhead expenses for indigent defense associated with the Senate adjustment that decreased the indigent defense contract rate from \$75 to \$65 per hour. Reimbursement of overhead expenses is calculated at 10 percent of the total indigent defense contract amount.

³ This amendment decreases funding for indigent defense by a total of \$250,000 from the general fund for the 2005-07 biennium to reduce funding for caseload increases from \$500,000 to \$250,000.

⁴ This amendment removes \$40,000 of general fund money for the installation of a digital audio system.

⁵ This amendment removes \$70,000 of general fund money for the installation of two interactive televisions.

Senate Bill No. 2002 - District Courts - Conference Committee Action

The Senate acceded to the House amendments.

Senate Bill No. 2002 - Judicial Conduct Commission - Senate Action

| | Executive Budget | Senate Changes | Senate Version |
|---|-----------------------------|---------------------------|---------------------------|
| Judicial conduct com. & disciplinary board | \$605,926 | (\$2,026) | \$603,900 |
| Total all funds | \$605,926 | (\$2,026) | \$603,900 |
| Less estimated income | 286,787 | (952) | 285,835 |
| General fund | \$319,139 | (\$1,074) | \$318,065 |
| FTE | 4.00 | 0.00 | 4.00 |

Department No. 183 - Judicial Conduct Commission - Detail of Senate Changes

| | Reduces Compensation Package to 3/4 | Total Senate Changes |
|---|--|---------------------------------|
| Judicial conduct com. & disciplinary board | (\$2,026) | (\$2,026) |
| Total all funds | (\$2,026) | (\$2,026) |
| Less estimated income | (952) | (952) |
| General fund | (\$1,074) | (\$1,074) |
| FTE | 0.00 | 0.00 |

Senate Bill No. 2002 - Judicial Conduct Commission - House Action

| | Executive Budget | Senate Version | House Changes | House Version |
|---|-----------------------------|---------------------------|--------------------------|--------------------------|
| Judicial conduct com. & disciplinary board | \$605,926 | \$603,900 | (\$500) | \$603,400 |
| Total all funds | \$605,926 | \$603,900 | (\$500) | \$603,400 |
| Less estimated income | 286,787 | 285,835 | (235) | 285,600 |
| General fund | \$319,139 | \$318,065 | (\$265) | \$317,800 |
| FTE | 4.00 | 4.00 | 0.00 | 4.00 |

Department No. 183 - Judicial Conduct Commission - Detail of House Changes

| | Reduces Recommended Funding for Health Insurance¹ | Total House Changes |
|---|---|--------------------------------|
| Judicial conduct com. & disciplinary board | (\$500) | (\$500) |
| Total all funds | (\$500) | (\$500) |
| Less estimated income | (235) | (235) |
| General fund | (\$265) | (\$265) |
| FTE | 0.00 | 0.00 |

¹ This amendment reduces funding for state employee health insurance premiums from \$559.15 to \$553.95 per month.

Senate Bill No. 2002 - Judicial Conduct Commission - Conference Committee Action

The Senate acceded to the House amendments.

Senate Bill No. 2002 - Other Changes - House Action

This amendment also allows the Supreme Court and district courts to carry over up to \$250,078 of unexpended general fund money from the 2003-05 biennium to the 2005-07 biennium to be used for establishing and defraying the expenses of the Commission on Legal Counsel for Indigents and appropriates a total of \$565,593 to the district courts, of which \$365,593 is from the general fund and \$200,000 is from the indigent defense administration fund, for establishing and defraying the expenses of the Commission on Legal Counsel for Indigents for the 2005-07 biennium, for a total amount of \$815,671 available for the establishment and expenses of the Commission on Legal Counsel for Indigents for the 2005-07 biennium.