

**FIRST ENGROSSMENT
with Senate Amendments
ENGROSSED HOUSE BILL NO. 1002**

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, 2011, and ending June 30, 2013, as follows:

10 Subdivision 1.

11 SUPREME COURT

		Adjustments or		
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>	
12				
13				
14	Salaries and wages	\$8,189,996	\$926,655	\$9,116,651
15	Operating expenses	2,197,376	117,742	2,315,118
16	Capital assets	0	25,000	25,000
17	Judges retirement	<u>127,021</u>	<u>11,084</u>	<u>138,105</u>
18	Total general fund	\$10,514,393	\$1,080,481	\$11,594,874

19 Subdivision 2.

20 DISTRICT COURTS

		Adjustments or		
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>	
21				
22				
23	Salaries and wages	\$48,980,255	\$5,399,931	\$54,380,186
24	Operating expenses	14,633,423	2,225,099	16,858,522

Sixty-second
Legislative Assembly

1	Capital assets	0	676,480	676,480
2	Judges retirement	533,705	(54,708)	478,997
3	UND central legal research	80,000	0	80,000
4	Alternative dispute resolution	20,000	(20,000)	0
5	Mediation	<u>792,036</u>	<u>77,628</u>	<u>869,664</u>
6	Total all funds	\$65,039,419	\$8,304,430	\$73,343,849
7	Less estimated income	<u>1,770,461</u>	<u>86,314</u>	<u>1,856,775</u>
8	Total general fund	\$63,268,958	\$8,218,116	\$71,487,074

9 Subdivision 3.

10 JUDICIAL CONDUCT COMMISSION AND DISCIPLINARY BOARD

11			Adjustments or	
12		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
13	Judicial conduct commission and	<u>\$813,629</u>	<u>\$76,326</u>	<u>\$889,955</u>
14	disciplinary board			
15	Total all funds	\$813,629	\$76,326	\$889,955
16	Less estimated income	<u>314,346</u>	<u>11,153</u>	<u>325,499</u>
17	Total general fund	\$499,283	\$65,173	\$564,456

18 Subdivision 4.

19 BILL TOTAL

20			Adjustments or	
21		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
22	Grand total general fund	\$74,282,634	\$9,363,770	\$83,646,404
23	Grand total special funds	<u>2,084,807</u>	<u>97,467</u>	<u>2,182,274</u>
24	Grand total all funds	\$76,367,441	\$9,461,237	\$85,828,678
25	Full-time equivalent positions	342.00	3.00	345.00

26 **SECTION 2. APPROPRIATION.** There are appropriated any funds received by the
 27 supreme court, district courts, and judicial conduct commission and disciplinary board, not
 28 otherwise appropriated, pursuant to federal acts and private gifts, grants, and donations for the
 29 purpose as designated in the federal acts or private gifts, grants, and donations for the period
 30 beginning July 1, 2011, and ending June 30, 2013.

1 **SECTION 3. TRANSFERS.** The director of the office of management and budget and the
2 state treasurer shall make such transfer of funds between line items of appropriation for the
3 judicial branch of government as may be requested by the supreme court upon a finding by the
4 court that the nature of the duties of the court and its staff requires the transfers to carry on
5 properly the functions of the judicial branch of government.

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

8 **27-02-02. Salaries of justices of supreme court.**

9 The annual salary of each justice of the supreme court is one hundred ~~twenty-four~~thirty-four
10 thousand ~~twenty-seven~~one hundred thirty-five dollars through June 30, ~~2010~~2012, and one
11 hundred ~~thirty~~thirty-eight thousand ~~two~~one hundred ~~twenty-eight~~fifty-nine dollars thereafter. The
12 chief justice of the supreme court is entitled to receive an additional three thousand ~~five~~eight
13 hundred ~~sixty-two~~fifty-two dollars per annum through June 30, ~~2010~~2012, and three thousand
14 ~~seven~~nine hundred ~~forty~~sixty-eight dollars per annum thereafter.

15 **SECTION 5. AMENDMENT.** Section 27-05-03 of the North Dakota Century Code is
16 amended and reenacted as follows:

17 **27-05-03. Salaries and expenses of district judges.**

18 The annual salary of each district judge is one hundred ~~thirteen~~twenty-two thousand ~~six~~nine
19 hundred ~~forty-eight~~ten dollars through June 30, ~~2010~~2012, and one hundred ~~nineteen~~twenty-six
20 thousand ~~three~~five hundred ~~thirty~~ninety-seven dollars thereafter. Each district judge is entitled to
21 travel expenses, including mileage and subsistence while engaged in the discharge of official
22 duties 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 ~~two~~five hundred ~~eighty-two~~fifty dollars per annum
25 through June 30, ~~2010~~2012, and three thousand ~~four~~six hundred ~~forty-seven~~fifty-seven dollars
26 thereafter.

27 **SECTION 6. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO**
28 **SIXTY-THIRD LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time funding
29 items approved by the sixty-first legislative assembly for the 2009-11 biennium and the 2011-13
30 one-time funding items included in the appropriation in section 1 of this Act:

31	<u>One-Time Funding Description</u>	<u>2009-11</u>	<u>2011-13</u>
----	-------------------------------------	----------------	----------------

Sixty-second
Legislative Assembly

1	Unified case management system	\$7,258,129	\$0
2	replacement project		
3	Management reserve fund	600,000	0
4	Parenting coordinator training	52,040	0
5	Studies on work assessment and	0	200,000
6	racial and ethical bias in the courts		
7	Office equipment and furniture	288,124	185,000
8	Information technology equipment	<u>109,088</u>	<u>516,480</u>
9	Total general fund	\$8,307,381	\$901,480
10	The 2011-13 one-time funding amounts are not part of the entity's base budget for the 2013-15		
11	biennium. The supreme court shall report to the appropriations committees of the sixty-third		
12	legislative assembly on the use of this one-time funding for the biennium beginning July 1, 2011,		
13	and ending June 30, 2013.		