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Sixty-second
Legislative Assembly
of North Dakota

FIRST ENGROSSMENT
with Conference Committee Amendments
ENGROSSED HOUSE BILL NO. 1002

Introduced by

Appropriations Committee

(At the request of the Supreme Court)

A BILL for an Act to provide an appropriation for defraying the expenses of the judicial branch; and to amend and reenact sections 27-02-02 and 27-05-03 of the North Dakota Century Code, relating to salaries of supreme and district court judges.

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 that agency, for the biennium beginning July 1, 2011, and ending June 30, 2013, as follows:

Subdivision 1.

SUPREME COURT

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

Subdivision 2.

DISTRICT COURTS

	Base Level	Adjustments or Enhancements	Appropriation
Salaries and wages	$48,980,255	$5,235,889	$54,216,144
Operating expenses	14,633,423	2,225,099	16,858,522

Capital assets	0	676,480	676,480
Judges retirement	533,705	(54,708)	478,997
UND central legal research	80,000	0	80,000
Alternative dispute resolution	20,000	(20,000)	0
Mediation	792,036	77,628	869,664
Total all funds	$65,039,419	$8,140,388	$73,179,807
Less estimated income	1,770,461	86,314	1,856,775
Total general fund	$63,268,958	$8,054,074	$71,323,032

Subdivision 3.

JUDICIAL CONDUCT COMMISSION AND DISCIPLINARY BOARD

	Base Level	Adjustments or Enhancements	Appropriation
Judicial conduct commission and disciplinary board	$813,629	$76,326	$889,955
Total all funds	$813,629	$76,326	$889,955
Less estimated income	314,346	11,153	325,499
Total general fund	$499,283	$65,173	$564,456

Subdivision 4.

BILL TOTAL

	Base Level	Adjustments or Enhancements	Appropriation
Grand total general fund	$74,282,634	$9,199,728	$83,482,362
Grand total special funds	2,084,807	97,467	2,182,274
Grand total all funds	$76,367,441	$9,297,195	$85,664,636
Full-time equivalent positions	342.00	2.00	344.00

SECTION 2. 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, 2011, and ending June 30, 2013.

SECTION 3. 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 4. AMENDMENT. Section 27-02-02 of the North Dakota Century Code is amended and reenacted as follows:

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

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

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

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

The annual salary of each district judge is one hundred ~~thirteen~~twenty-two thousand ~~six~~nine hundred ~~forty-eight~~ten dollars through June 30, ~~2010~~2012, and one hundred ~~nineteen~~twenty-six thousand ~~three~~five hundred ~~thirty~~ninety-seven dollars thereafter. Each district judge is entitled to travel expenses, including mileage and subsistence while engaged in the discharge of official duties outside the city in which the judge's chambers are located. The salary and expenses are payable monthly in the manner provided by law. A presiding judge of a judicial district is entitled to receive an additional three thousand ~~two~~five hundred ~~eighty-two~~fifty dollars per annum through June 30, ~~2010~~2012, and three thousand ~~four~~six hundred ~~forty-seven~~fifty-seven dollars thereafter.

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

One-Time Funding Description	2009-11	2011-13

Unified case management system replacement project	$7,258,129	$0
Management reserve fund	600,000	0
Parenting coordinator training	52,040	0
Studies on work assessment and racial and ethical bias in the courts	0	200,000
Office equipment and furniture	288,124	185,000
Information technology equipment	109,088	516,480
Total general fund	$8,307,381	$901,480

The 2011-13 one-time funding amounts are not part of the entity's base budget for the 2013-15 biennium. The supreme court shall report to the appropriations committees of the sixty-third legislative assembly on the use of this one-time funding for the biennium beginning July 1, 2011, and ending June 30, 2013.