Sixty-fourth Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 6, 2015

HOUSE BILL NO. 1002
(Appropriations Committee)
(At the request of the Supreme Court)

AN ACT to provide an appropriation for defraying the expenses of the judicial branch; to provide for the establishment of additional district court judgeships; 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, 2015, and ending June 30, 2017.

Subdivision 1.

SUPREME COURT

	Base Level	Adjustments or Enhancements	Appropriation
Salaries and wages	$9,851,552	$1,557,557	$11,409,109
Accrued leave payments	531,696	(531,696)	0
Operating expenses	2,754,254	390,745	3,144,999
Capital assets	0	1,012,377	1,012,377
Judges retirement	75,017	4,571	79,588
Guardianship monitoring program	70,000	233,789	303,789
Total general fund	$13,282,519	$2,667,343	$15,949,862

Subdivision 2.

DISTRICT COURTS

	Base Level	Adjustments or Enhancements	Appropriation
Salaries and wages	$61,177,621	$10,591,709	$71,769,330
Accrued leave payments	2,399,277	(2,399,277)	0
Operating expenses	20,847,479	2,780,840	23,628,319
Capital assets	0	1,968,460	1,968,460
Judges retirement	500,936	(92,287)	408,649
UND central legal research	80,000	0	80,000
Total all funds	$85,005,313	$12,849,445	$97,854,758
Less estimated income	1,808,090	114,060	1,922,150
Total general fund	$83,197,223	$12,735,385	$95,932,608

Subdivision 3.

JUDICIAL CONDUCT COMMISSION AND DISCIPLINARY BOARD

	Base Level	Adjustments or Enhancements	Appropriation
Judicial conduct commission and	$1,020,874	$106,613	$1,127,487

disciplinary board			
Total all funds	$1,020,874	$106,613	$1,127,487
Less estimated income	367,499	77,157	444,656
Total general fund	$653,375	$29,456	$682,831

Subdivision 4.

BILL TOTAL

	Base Level	Adjustments or Enhancements	Appropriation
Grand total general fund	$97,133,117	$15,432,184	$112,565,301
Grand total special funds	2,175,589	191,217	2,366,806
Grand total all funds	$99,308,706	$15,623,401	$114,932,107
Full-time equivalent positions	363.00	28.00	391.00

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, 2015, and ending June 30, 2017.

SECTION 3. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO SIXTY-FIFTH LEGISLATIVE ASSEMBLY. The following amounts reflect the one-time funding items approved by the sixty-third legislative assembly for the 2013-15 biennium and the 2015-17 one time funding items included in the appropriation in section 1 of this Act:

One-Time Funding Description	2013-15	2015-17
Office equipment and furniture	$331,470	$220,000
Information technology equipment	516,556	924,460
Juvenile case management system replacement study	90,000	0
Disaster recovery planning	95,000	0
Criminal justice information sharing publisher project	139,850	0
Disaster recovery project	0	2,000,000
Facility space expansion	0	1,149,377
Criminal case eFile initiation	0	99,000
Total general fund	$1,172,876	$4,392,837

The 2015-17 one-time funding amounts are not a part of the entity's base budget for the 2017-19 biennium. The supreme court shall report to the appropriations committees of the sixty-fifth legislative assembly on the use of this one-time funding for the biennium beginning July 1, 2015, and ending June 30, 2017.

SECTION 4. 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 5. DISTRICT JUDGES. The appropriation provided in subdivision 2 of section 1 of this Act provides for four additional district court judges to be assigned pursuant to section 27-05-01 and to be assigned to chambers by the supreme court. Within thirty days after the effective date of this Act, the judgeship vacancies created by this section must be filled in accordance with section 13 of article VI of the Constitution of North Dakota. In accordance with section 9 and 13 of article VI of the Constitution of North Dakota, each judge appointed to fill a vacancy created by this section continues in office until the next general election immediately following two years of service after the appointment. The individual

then elected holds office for the remainder of the term and until a successor is elected and duly qualified.

SECTION 6. 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 ~~forty-three~~fifty-two thousand ~~six~~four hundred ~~eighty-five~~thirty-six dollars through June 30, ~~2014~~2016, and one hundred ~~forty-seven~~fifty-seven thousand nine ~~hundred ninety-six~~ dollars thereafter. The chief justice of the supreme court is entitled to receive an additional four thousand ~~one~~three hundred ~~twenty-seven~~seventy-seven dollars per annum through June 30, ~~2014~~2016, and four thousand ~~two~~five hundred ~~fifty~~eight dollars per annum thereafter.

SECTION 7. 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 ~~thirty-one~~thirty-nine thousand six hundred ~~sixty-one~~seventy-nine dollars through June 30, ~~2014~~2016, and one hundred ~~thirty-five~~forty-three thousand ~~six~~eight hundred ~~eleven~~sixty-nine 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~~four thousand ~~eight hundred~~ ~~three~~thirty-five dollars per annum through June 30, ~~2014~~2016, and ~~three~~four thousand ~~nine~~one hundred ~~seventeen~~fifty-six dollars thereafter.

Speaker of the House

President of the Senate

Chief Clerk of the House

Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Sixty-fourth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1002.

House Vote:	Yeas 87	Nays 2	Absent 5
Senate Vote:	Yeas 47	Nays 0	Absent 0

Chief Clerk of the House

Received by the Governor at 8:19 A. M. on April 27, 2015.

Approved at 2:47 P. M. on April 27, 2015.

Governor

Filed in this office this 27th day of April, 2015,

at 4:37 o'clock P. M.

Secretary of State