

1.1 moves to amend H.F. No. 1160 as follows:

1.2 Delete everything after the enacting clause and insert:

1.3 "ARTICLE 1

1.4 APPROPRIATIONS

1.5 Section 1. SUMMARY OF APPROPRIATIONS.

1.6 The amounts shown in this section summarize direct appropriations, by fund, made
1.7 in this article.

1.8		<u>2014</u>		<u>2015</u>		<u>Total</u>
1.9	<u>General</u>	\$ 385,885,000	\$	398,930,000	\$	<u>784,815,000</u>
1.10	<u>Total</u>	\$ <u>385,885,000</u>	\$	<u>398,930,000</u>	\$	<u>784,815,000</u>

1.11 Sec. 2. JUDICIARY APPROPRIATIONS.

1.12 The sums shown in the columns marked "Appropriations" are appropriated to the
1.13 agencies and for the purposes specified in this article. The appropriations are from the
1.14 general fund, or another named fund, and are available for the fiscal years indicated
1.15 for each purpose. The figures "2014" and "2015" used in this article mean that the
1.16 appropriations listed under them are available for the fiscal year ending June 30, 2014, or
1.17 June 30, 2015, respectively. "The first year" is fiscal year 2014. "The second year" is fiscal
1.18 year 2015. "The biennium" is fiscal years 2014 and 2015. Appropriations for the fiscal
1.19 year ending June 30, 2013, are effective the day following final enactment.

1.20	<u>APPROPRIATIONS</u>
1.21	<u>Available for the Year</u>
1.22	<u>Ending June 30</u>
1.23	<u>2014</u> <u>2015</u>

1.24 Sec. 3. SUPREME COURT

1.25	<u>Subdivision 1. Total Appropriation</u>	\$	<u>43,109,000</u>	\$	<u>43,997,000</u>
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2.1 The amounts that may be spent for each
 2.2 purpose are specified in the following
 2.3 subdivisions.

2.4 Subd. 2. **Supreme Court Operations** 31,593,000 32,481,000

2.5 **Contingent Account.** \$5,000 each year is for
 2.6 a contingent account for expenses necessary
 2.7 for the normal operation of the court for
 2.8 which no other reimbursement is provided.

2.9 Subd. 3. **Civil Legal Services** 11,516,000 11,516,000

2.10 (a) **Legal Services to Low-Income Clients in**
 2.11 **Family Law Matters.** Of this appropriation,
 2.12 \$877,000 each year is to improve the access
 2.13 of low-income clients to legal representation
 2.14 in family law matters. This appropriation
 2.15 must be distributed under section 480.242,
 2.16 to the qualified legal services programs
 2.17 described in section 480.242, subdivision 2,
 2.18 paragraph (a). Any unencumbered balance
 2.19 remaining in the first year does not cancel
 2.20 and is available in the second year.

2.21 (b) **Use of Funds.** This appropriation is to
 2.22 be used to provide civil legal services to
 2.23 low-income Minnesota clients.

2.24 Sec. 4. **COURT OF APPEALS** \$ 10,547,000 \$ 10,932,000

2.25 The court of appeals' general fund base shall
 2.26 be increased by \$69,000 in fiscal year 2016
 2.27 and \$89,000 in fiscal year 2017.

2.28 Sec. 5. **TRIAL COURTS** \$ 246,327,000 \$ 255,455,000

2.29 Of this appropriation, \$986,000 each year is
 2.30 to develop, expand, and maintain specialty
 2.31 courts.

3.1	Sec. 6. <u>GUARDIAN AD LITEM BOARD</u>	\$	<u>12,414,000</u>	\$	<u>12,756,000</u>
3.2	Sec. 7. <u>TAX COURT</u>	\$	<u>993,000</u>	\$	<u>1,000,000</u>
3.3	Sec. 8. <u>UNIFORM LAWS COMMISSION</u>	\$	<u>147,000</u>	\$	<u>84,000</u>
3.4	<u>\$63,000 in fiscal year 2014 is to pay back</u>				
3.5	<u>dues owing to the National Conference of</u>				
3.6	<u>Commissioners on Uniform State Laws. This</u>				
3.7	<u>is a onetime appropriation.</u>				
3.8	Sec. 9. <u>BOARD ON JUDICIAL STANDARDS</u>	\$	<u>759,000</u>	\$	<u>461,000</u>
3.9	<u>(a) \$300,000 the first year is for deficiencies</u>				
3.10	<u>occurring in fiscal year 2013. This</u>				
3.11	<u>appropriation is available for expenditure the</u>				
3.12	<u>day following final enactment.</u>				
3.13	<u>(b) \$125,000 each year is for special</u>				
3.14	<u>investigative and hearing costs for major</u>				
3.15	<u>disciplinary actions undertaken by the</u>				
3.16	<u>board. This appropriation does not cancel.</u>				
3.17	<u>Any encumbered and unspent balances</u>				
3.18	<u>remain available for these expenditures in</u>				
3.19	<u>subsequent fiscal years.</u>				
3.20	Sec. 10. <u>BOARD OF PUBLIC DEFENSE</u>	\$	<u>70,698,000</u>	\$	<u>73,649,000</u>
3.21	<u>From this appropriation, the board shall pay</u>				
3.22	<u>all outstanding billings as of June 30, 2013,</u>				
3.23	<u>for transcripts required to be provided by</u>				
3.24	<u>court reporters under section 243.49.</u>				
3.25	Sec. 11. <u>SENTENCING GUIDELINES</u>	\$	<u>891,000</u>	\$	<u>596,000</u>
3.26	<u>\$300,000 in fiscal year 2014 is appropriated</u>				
3.27	<u>to the Minnesota Sentencing Guidelines</u>				
3.28	<u>Commission for transfer to the Office of</u>				
3.29	<u>Enterprise Technology for an electronic</u>				
3.30	<u>sentencing worksheet system. This is a</u>				

4.1 onetime appropriation and is available
4.2 until expended. Any ongoing information
4.3 technology support or costs for this
4.4 application shall be incorporated into the
4.5 service-level agreement and shall be paid to
4.6 the Office of Enterprise Technology.

4.7 **ARTICLE 2**

4.8 **COURTS**

4.9 Section 1. Minnesota Statutes 2012, section 357.021, is amended by adding a
4.10 subdivision to read:

4.11 Subd. 2b. **Court technology fund.** (a) In addition to any other filing fee under this
4.12 chapter, the court administrator shall collect a \$2 technology fee on filings made under
4.13 subdivision 2, clauses (1) to (13). The court administrator shall transmit the fee monthly
4.14 to the commissioner of management and budget for deposit in the court technology special
4.15 revenue fund.

4.16 (b) A court technology account is established as a special account in the state
4.17 treasury and funds deposited in the account are appropriated to the Supreme Court for
4.18 distribution of technology funds as provided in paragraph (d). Technology funds may
4.19 be used for the following purposes: acquisition, development, support, maintenance,
4.20 and upgrades to computer systems, equipment and devices, network systems, electronic
4.21 records, filings and payment systems, interactive video conferencing, and online
4.22 services, to be used by the state courts and their justice partners.

4.23 (c) The Supreme Court may establish a board consisting of members from the
4.24 judicial branch, prosecutors, public defenders, and civil legal services to distribute funds
4.25 collected under paragraph (a). The Supreme Court may adopt policies and procedures for
4.26 the operation of the board, including but not limited to, policies and procedures governing
4.27 membership terms, removal of members, and the filling of membership vacancies.

4.28 (d) Applications for the expenditure of technology funds shall be accepted from
4.29 judicial districts, county and city attorneys' offices, the Board of Public Defense, qualified
4.30 legal services programs as defined under section 480.24, and part-time public defender
4.31 offices. The applications shall be reviewed by the Supreme Court and, if established, the
4.32 board. In accordance with any recommendations from the board, the Supreme Court shall
4.33 distribute the funds available for this expenditure to selected recipients. The funds to be
4.34 distributed to selected recipients shall be distributed no less than twice per calendar year.

5.1 (e) On January 15, 2015, and every two years thereafter, the Supreme Court shall
5.2 submit a report to the chairs and ranking minority members of the house of representatives
5.3 and senate committees with jurisdiction over judiciary finance providing an accounting on
5.4 the amounts collected and expended in the previous biennium, including a list of fund
5.5 recipients, the amounts awarded to each recipient, and the technology purpose funded.

5.6 **EFFECTIVE DATE.** This section is effective July 1, 2013, and applies to filings
5.7 made on or after that date.

5.8 Sec. 2. Minnesota Statutes 2012, section 357.021, subdivision 6, is amended to read:

5.9 Subd. 6. **Surcharges on criminal and traffic offenders.** (a) Except as provided in
5.10 this paragraph, the court shall impose and the court administrator shall collect a \$75 \$90
5.11 surcharge on every person convicted of any felony, gross misdemeanor, misdemeanor, or
5.12 petty misdemeanor offense, other than a violation of a law or ordinance relating to vehicle
5.13 parking, for which there shall be a \$12 surcharge. When a defendant is convicted of more
5.14 than one offense in a case, the surcharge shall be imposed only once in that case. In the
5.15 Second Judicial District, the court shall impose, and the court administrator shall collect,
5.16 an additional \$1 surcharge on every person convicted of any felony, gross misdemeanor,
5.17 misdemeanor, or petty misdemeanor offense, including a violation of a law or ordinance
5.18 relating to vehicle parking, if the Ramsey County Board of Commissioners authorizes the
5.19 \$1 surcharge. The surcharge shall be imposed whether or not the person is sentenced to
5.20 imprisonment or the sentence is stayed. The surcharge shall not be imposed when a person
5.21 is convicted of a petty misdemeanor for which no fine is imposed.

5.22 (b) If the court fails to impose a surcharge as required by this subdivision, the court
5.23 administrator shall show the imposition of the surcharge, collect the surcharge, and
5.24 correct the record.

5.25 (c) The court may not waive payment of the surcharge required under this
5.26 subdivision. Upon a showing of indigency or undue hardship upon the convicted person
5.27 or the convicted person's immediate family, the sentencing court may authorize payment
5.28 of the surcharge in installments.

5.29 (d) The court administrator or other entity collecting a surcharge shall forward it to
5.30 the commissioner of management and budget.

5.31 (e) If the convicted person is sentenced to imprisonment and has not paid the
5.32 surcharge before the term of imprisonment begins, the chief executive officer of the
5.33 correctional facility in which the convicted person is incarcerated shall collect the
5.34 surcharge from any earnings the inmate accrues from work performed in the facility or

6.1 while on conditional release. The chief executive officer shall forward the amount collected
6.2 to the court administrator or other entity collecting the surcharge imposed by the court.

6.3 (f) A person who enters a diversion program, continuance without prosecution,
6.4 continuance for dismissal, or stay of adjudication for a violation of chapter 169 must pay
6.5 the surcharge described in this subdivision. A surcharge imposed under this paragraph
6.6 shall be imposed only once per case.

6.7 (g) The surcharge does not apply to administrative citations issued pursuant to
6.8 section 169.999.

6.9 **EFFECTIVE DATE.** This section is effective July 1, 2013, and applies to
6.10 convictions on or after that date.

6.11 Sec. 3. Minnesota Statutes 2012, section 357.021, subdivision 7, is amended to read:

6.12 Subd. 7. **Disbursement of surcharges by commissioner of management and**
6.13 **budget.** (a) Except as provided in paragraphs (b), (c), and (d), the commissioner of
6.14 management and budget shall disburse surcharges received under subdivision 6 and
6.15 section 97A.065, subdivision 2, as follows:

6.16 (1) one percent shall be credited to the peace officer training account in the game
6.17 and fish fund to provide peace officer training for employees of the Department of Natural
6.18 Resources who are licensed under sections 626.84 to 626.863, and who possess peace
6.19 officer authority for the purpose of enforcing game and fish laws;

6.20 (2) 39 percent shall be credited to the peace officers training account in the special
6.21 revenue fund; and

6.22 (3) 60 percent shall be credited to the general fund.

6.23 (b) The commissioner of management and budget shall credit \$3 of each surcharge
6.24 received under subdivision 6 and section 97A.065, subdivision 2, to the general fund.

6.25 (c) In addition to any amounts credited under paragraph (a), the commissioner of
6.26 management and budget shall credit ~~\$47~~ \$62 of each surcharge received under subdivision
6.27 6 and section 97A.065, subdivision 2, and the \$12 parking surcharge, to the general fund.

6.28 (d) If the Ramsey County Board of Commissioners authorizes imposition of the
6.29 additional \$1 surcharge provided for in subdivision 6, paragraph (a), the court administrator
6.30 in the Second Judicial District shall transmit the surcharge to the commissioner of
6.31 management and budget. The \$1 special surcharge is deposited in a Ramsey County
6.32 surcharge account in the special revenue fund and amounts in the account are appropriated
6.33 to the trial courts for the administration of the petty misdemeanor diversion program
6.34 operated by the Second Judicial District Ramsey County Violations Bureau.

7.1 **EFFECTIVE DATE.** This section is effective July 1, 2013, and applies to
7.2 convictions on or after that date.

7.3 Sec. 4. Minnesota Statutes 2012, section 357.022, is amended to read:

7.4 **357.022 CONCILIATION COURT FEE.**

7.5 (a) The court administrator in every county shall charge and collect a filing fee of
7.6 \$65 as prescribed in paragraph (b) from every plaintiff and from every defendant when
7.7 the first paper for that party is filed in any conciliation court action. This section does not
7.8 apply to conciliation court actions filed by the state. The court administrator shall transmit
7.9 the fees monthly to the commissioner of management and budget for deposit in the state
7.10 treasury and credit to the general fund.

7.11 (b) The fees to be charged and collected by the court administrator shall be as follows:

7.12 (1) if the amount of the money or property that is the subject matter of the claim
7.13 does not exceed \$5,000, \$110;

7.14 (2) if the amount of the money or property that is the subject matter of the claim is
7.15 more than \$5,000 but does not exceed \$10,000, \$125; and

7.16 (3) if the amount of the money or property that is the subject matter of the claim
7.17 is more than \$10,000 but does not exceed \$15,000, \$150.

7.18 **EFFECTIVE DATE.** This section is effective July 1, 2013, and applies to actions
7.19 filed on or after that date.

7.20 Sec. 5. Minnesota Statutes 2012, section 480A.02, subdivision 7, is amended to read:

7.21 **Subd. 7. Compensation; travel expenses.** (a) The salary of a judge of the Court of
7.22 Appeals shall be as provided by section 15A.082. Except as provided in paragraph (b),
7.23 travel expenses shall be paid by the state in the same manner and amount as provided for
7.24 judges of the district court in section 484.54.

7.25 (b) For any judge of the Court of Appeals whose permanent place of residence
7.26 is more than 50 miles from the judge's permanent chambers in St. Paul, in addition to
7.27 travel expenses provided in paragraph (a), the judge shall be reimbursed for the following
7.28 expenses during the judge's term of service on the Court of Appeals:

7.29 (1) housing expenses in an amount prescribed by judicial council policy, but not
7.30 less than \$1,000 per month; and

7.31 (2) mileage for travel from the judge's permanent place of residence to and from
7.32 the judge's permanent chambers charged at the current United States Internal Revenue
7.33 Service reimbursement rate.

8.1 Reimbursable expenses under this paragraph shall be paid by the state in the same
8.2 manner as provided for judges of the district court in section 484.54, subdivision 3.

8.3 **EFFECTIVE DATE.** This section is effective July 1, 2014.

8.4 Sec. 6. Minnesota Statutes 2012, section 629.59, is amended to read:

8.5 **629.59 COURT TO FORGIVE BOND FORFEITURE PENALTY.**

8.6 (a) When an action is brought in the name of the state against a principal or surety in
8.7 a recognizance entered into by a party or witness in a criminal prosecution, and the penalty
8.8 is judged forfeited, except as provided in paragraph (b), the court may forgive or reduce
8.9 the penalty according to the circumstances of the case and the situation of the party on
8.10 any terms and conditions it considers just and reasonable.

8.11 (b) If the court orders reinstatement of the bond, the court shall impose the following:

8.12 (1) a minimum penalty as provided in Rule 702 of Minnesota General Rules of
8.13 Practice; and

8.14 (2) a reinstatement fee prescribed by court rule in an amount based on a percentage
8.15 of the bond fee but in no instance less than \$100.

8.16 The minimum penalty shall be distributed by the courts as provided by law. The court
8.17 administrator shall forward the reinstatement fee to the commissioner of management and
8.18 budget to be credited in the general fund.

8.19 **EFFECTIVE DATE.** This section is effective July 1, 2013."

8.20 Amend the title accordingly