

Sixty-ninth
Legislative Assembly
of North Dakota

FIRST ENGROSSMENT**ENGROSSED SENATE BILL NO. 2002**

Introduced by

Appropriations Committee

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

5 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

6 **SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds
7 as may be necessary, are appropriated out of any moneys in the general fund in the state
8 treasury, not otherwise appropriated, and from other funds derived from special funds and
9 federal funds, to the judicial branch for the purpose of defraying the expenses of the judicial
10 branch, for the biennium beginning July 1, 2025, and ending June 30, 2027, as follows:

11 Subdivision 1.

12 SUPREME COURT

13			Adjustments or	
14		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
15	Salaries and wages	\$12,363,778	\$1,055,927	\$13,419,705
16	New and vacant FTE pool	8,740,214	(68,714)	8,671,500
17	Operating expenses	2,915,259	191,426	3,106,685
18	Capital assets	<u>0</u>	<u>866,100</u>	<u>866,100</u>
19	Total all funds	\$24,019,251	\$2,044,739	\$26,063,990
20	Less other funds	<u>97,793</u>	<u>(53,664)</u>	<u>44,129</u>
21	Total general fund	\$23,921,458	\$2,098,403	\$26,019,861

22 Subdivision 2.

DISTRICT COURTS

		Adjustments or	
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
Salaries and wages	\$79,576,340	\$11,134,861	\$90,711,201
Operating expenses	24,524,619	3,006,722	27,531,341
Capital assets	0	4,742,216	4,742,216
Judges' retirement	<u>177,340</u>	<u>(13,666)</u>	<u>163,674</u>
Total all funds	\$104,278,299	\$18,870,133	\$123,148,432
Less other funds	<u>830,318</u>	<u>(11,320)</u>	<u>818,998</u>
Total general fund	\$103,447,981	\$18,881,453	\$122,329,434

Subdivision 3.

JUDICIAL CONDUCT COMMISSION AND DISCIPLINARY BOARD

		Adjustments or	
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
Judicial conduct commission and disciplinary board	<u>\$1,399,862</u>	<u>\$155,643</u>	<u>\$1,555,505</u>
Total all funds	\$1,399,862	\$155,643	\$1,555,505
Less other funds	<u>512,317</u>	<u>(2,779)</u>	<u>509,538</u>
Total general fund	\$887,545	\$158,422	\$1,045,967

Subdivision 4.

Office of Guardianship and Conservatorship

		Adjustments or	
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
Office of guardianship and conservatorship	<u>\$0</u>	<u>\$936,405</u>	<u>\$936,405</u>
Total general fund	\$0	\$936,405	\$936,405

Subdivision 5.

TOTAL - SECTION 1

		Adjustments or	
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
Grand total all funds	\$129,697,412	\$22,006,920	\$151,704,332
Grand total other funds	<u>1,440,428</u>	<u>(67,763)</u>	<u>1,372,665</u>

1	Grand total general fund	\$128,256,984	\$22,074,683	\$150,331,667
2	Full-time equivalent positions	384.00	12.00	396.00

3 **SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO THE**

4 **SEVENTIETH LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time funding
5 items included in the appropriation in section 1 of this Act which are not included in the entity's
6 base budget for the 2027-29 biennium and which the entity shall report to the appropriations
7 committees of the seventieth legislative assembly regarding the use of this funding:

8	<u>One-Time Funding Description</u>	<u>General Fund</u>
9	Information technology equipment lease	\$874,216
10	Case management software cloud migration	758,000
11	Clerk filing software	1,250,000
12	Court records access system	960,000
13	Cloud-based storage fees	866,100
14	Courtroom audio and video equipment	800,000
15	Cass County courtroom equipment	<u>100,000</u>
16	Total	\$5,608,316

17 **SECTION 3. NEW AND VACANT FTE POOL - BUDGET SECTION REPORT.**

18 1. The supreme court may not spend funding from the new and vacant FTE funding pool
19 line item in subdivision 1 of section 1 of this Act, but may transfer funds from this line
20 item to the salaries and wages line items within subdivisions 1 and 2 of this Act, to the
21 guardianship and conservatorship line item within subdivision 1 of this Act, and to the
22 judicial conduction commission and disciplinary board line item within subdivision 3 of
23 this Act, as necessary to provide funding for:

- 24 a. Filling a new position from the date of hire through the end of the biennium; or
25 b. Salaries and wages if actual salaries and wages savings from vacant positions
26 and employee turnover, adjusted for other uses, are less than the estimate used
27 by the sixty-ninth legislative assembly in the development of the appropriation.

28 2. The supreme court shall report to the budget section regarding the use of funding in
29 the pool, including information on:

- 30 a. New FTE positions, including the date hired;

- 1 b. Vacant FTE positions, including information regarding positions that become
2 vacant and positions filled, salaries and wages savings resulting from vacant
3 positions and employee turnover, and the use of salaries and wages savings for
4 other purposes; and
5 c. Additional salaries and wages funding needed due to savings from vacant
6 positions being less than anticipated.
- 7 3. If funding in the new and vacant FTE pool line item is insufficient to provide the
8 necessary salaries and wages funding for the biennium, the supreme court may
9 request a deficiency appropriation from the seventieth legislative assembly.

10 **SECTION 4. APPROPRIATION.** There are appropriated any funds received by the supreme
11 court, district courts, and judicial conduct commission and disciplinary board, not otherwise
12 appropriated, pursuant to federal acts and private gifts, grants, and donations for the purpose
13 as designated in the federal acts or private gifts, grants, and donations for the period beginning
14 July 1, 2025, and ending June 30, 2027.

15 **SECTION 5. AMENDMENT.** Section 27-02-02 of the North Dakota Century Code is
16 amended and reenacted as follows:

17 **27-02-02. Salaries of justices of supreme court.**

18 The annual salary of each justice of the supreme court is ~~one hundred seventy-nine~~
19 ~~thousand three hundred twelve dollars through June 30, 2024, and one hundred eighty-six~~
20 ~~thousand four hundred eighty-four dollars thereafter~~ two hundred two thousand three hundred
21 thirty-five dollars. The chief justice of the supreme court is entitled to receive an additional five-
22 ~~thousand seventy-one dollars per annum through June 30, 2024, and five thousand two~~
23 ~~hundred seventy-four~~ six thousand six hundred eighty-one dollars per annum thereafter.

24 **SECTION 6. AMENDMENT.** Section 27-05-03 of the North Dakota Century Code is
25 amended and reenacted as follows:

26 **27-05-03. Salaries and expenses of district judges.**

27 The annual salary of each district judge is ~~one hundred sixty-four thousand five hundred~~
28 ~~thirty-two dollars through June 30, 2024, and one hundred seventy-one thousand one hundred~~
29 ~~thirteen dollars thereafter~~ one hundred eighty-three thousand ninety-one dollars. Each district
30 judge is entitled to travel expenses, including mileage and subsistence while engaged in the
31 discharge of official duties outside the city in which the judge's chambers are located. The

1 salary and expenses are payable monthly in the manner provided by law. A presiding judge of a
2 judicial district is entitled to receive an additional ~~four thousand six hundred seventy-five~~five
3 thousand two hundred two dollars per annum ~~through June 30, 2024, and four thousand eight~~
4 ~~hundred sixty-two dollars thereafter.~~

5 **SECTION 7. EXEMPTION - TRANSFERS.** Notwithstanding section 54-16-04, the director
6 of the office of management and budget shall transfer appropriation authority between line items
7 in section 1 of this Act, as requested by the supreme court upon a finding by the court that the
8 nature of the duties of the court and its staff requires the transfers to carry on properly the
9 functions of the judicial branch of government.