

Fiscal No. 1

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1002

Page 1, line 1, after the semicolon insert "to amend and reenact sections 27-02-02, 27-05-03,
and 27-09.1-14 of the North Dakota Century Code, relating to the salaries of justices of
the supreme court, the salaries of district court judges, and compensation of jurors;"

Page 1, remove lines 10 through 24

Page 2, replace lines 1 through 22 with:

"SUPREME COURT

| | <u>Base Level</u> | <u>Adjustments or Enhancements</u> | <u>Appropriation</u> |
|---------------------------------|-------------------|--|----------------------|
| Salaries and wages | \$11,202,906 | \$2,069,071 | \$13,271,977 |
| Operating expenses | 2,350,094 | 846,665 | 3,196,759 |
| Capital assets | 0 | 28,500 | 28,500 |
| Guardianship monitoring program | <u>286,097</u> | <u>(286,097)</u> | <u>0</u> |
| Total all funds | \$13,839,097 | \$2,658,139 | \$16,497,236 |
| Less estimated income | <u>0</u> | <u>388,000</u> | <u>388,000</u> |
| Total general fund | \$13,839,097 | \$2,270,139 | \$16,109,236 |

Subdivision 2.

DISTRICT COURTS

| | <u>Base Level</u> | <u>Adjustments or Enhancements</u> | <u>Appropriation</u> |
|-----------------------|-------------------|--|----------------------|
| Salaries and wages | \$76,196,548 | \$12,465,792 | \$88,662,340 |
| Operating expenses | 20,081,881 | 4,442,738 | 24,524,619 |
| Capital assets | 0 | 1,125,220 | 1,125,220 |
| Judges' retirement | <u>137,246</u> | <u>40,094</u> | <u>177,340</u> |
| Total all funds | \$96,415,675 | \$18,073,844 | \$114,489,519 |
| Less estimated income | <u>756,963</u> | <u>155,868</u> | <u>912,831</u> |
| Total general fund | \$95,658,712 | \$17,917,976 | \$113,576,688 |

Subdivision 3.

JUDICIAL CONDUCT COMMISSION AND DISCIPLINARY BOARD

| | <u>Base Level</u> | <u>Adjustments or Enhancements</u> | <u>Appropriation</u> |
|---|--------------------|--|----------------------|
| Judicial conduct commission and disciplinary board | <u>\$1,317,481</u> | <u>\$139,596</u> | <u>\$1,457,077</u> |
| Total all funds | \$1,317,481 | \$139,596 | \$1,457,077 |
| Less estimated income | <u>502,500</u> | <u>31,116</u> | <u>533,616</u> |
| Total general fund | \$814,981 | \$108,480 | \$923,461 |

Subdivision 4.

BILL TOTAL

| | <u>Base Level</u> | <u>Adjustments or Enhancements</u> | <u>Appropriation</u> |
|--------------------------------|-------------------|--|----------------------|
| Grand total general fund | \$110,312,790 | \$20,296,595 | \$130,609,385 |
| Grand total special funds | <u>1,259,463</u> | <u>574,984</u> | <u>1,834,447</u> |
| Grand total all funds | \$111,572,253 | \$20,871,579 | \$132,443,832 |
| Full-time equivalent positions | 362.00 | 21.00 | 383.00" |

Page 2, line 23, after "FUNDING" insert "- EFFECT ON BASE BUDGET - REPORT TO SIXTY-NINTH LEGISLATIVE ASSEMBLY"

Page 2, line 24, after "biennium" insert "and the 2023-25 biennium one-time funding items included in section 1 of this Act"

Page 2, replace line 27 with:

| | | |
|-------------------------------------|---------|-----------|
| "Information technology equipment | 157,600 | 1,153,720 |
| Federal department of justice grant | 0 | 388,000" |

Page 2, replace lines 29 through 31 with:

| | | |
|-----------------------|------------------|----------------|
| "Total all funds | \$4,177,600 | \$1,541,720 |
| Less estimated income | <u>2,177,600</u> | <u>388,000</u> |
| Total general fund | \$2,000,000 | \$1,153,720 |

The 2023-25 biennium one-time funding amounts are not a part of the entity's base budget for the 2025-27 biennium. The supreme court shall report to the appropriations committees of the sixty-ninth legislative assembly on the use of this one-time funding for the biennium beginning July 1, 2023, and ending June 30, 2025."

Page 3, after line 10, insert:

"SECTION 5. 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 sixty five thousand eight hundred forty five dollars through June 30, 2022, and one hundred sixty nine thousand one hundred sixty two~~ one hundred eighty-two thousand six hundred ninety-five dollars through June 30, 2024, and one hundred ninety thousand three dollars thereafter. The chief justice of the supreme court is entitled to receive an additional ~~four thousand six hundred ninety dollars per annum through June 30, 2022, and four thousand seven hundred eighty four~~ five thousand one hundred sixty-seven dollars per annum through June 30, 2024, and five thousand three hundred seventy-four dollars per annum thereafter.

SECTION 6. 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 fifty two thousand one hundred seventy five dollars through June 30, 2022, and one hundred fifty five thousand two hundred nineteen~~ one hundred sixty-seven thousand six hundred

thirty-seven dollars through June 30, 2024, and one hundred seventy-four thousand three hundred forty-two 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 ~~four thousand three hundred twenty-four dollars per annum through June 30, 2022, and four thousand four hundred ten~~ four thousand seven hundred sixty-three dollars per annum through June 30, 2024, and four thousand nine hundred fifty-four dollars thereafter.

SECTION 7. AMENDMENT. Section 27-09.1-14 of the North Dakota Century Code is amended and reenacted as follows:

27-09.1-14. Mileage and compensation of jurors.

A juror must be paid mileage at the rate provided for state employees in section 54-06-09. A juror must be compensated at the rate of ~~forty~~ forty-one hundred dollars for each day of required attendance at sessions of the district court unless the juror is in attendance for four hours or less on the first day, in which case compensation for the first day is ~~twenty-five~~ forty dollars. A juror must be compensated at the rate of ten dollars for each day of required attendance at sessions of a coroner's inquest. The mileage and compensation of jurors must be paid by the state for jurors at sessions of the district court. Jurors at coroner's inquests must be paid by the county."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1002 - Summary of House Action

| | Base Budget | House Changes | House Version |
|-----------------------------|---------------|---------------|---------------|
| Supreme Court | | | |
| Total all funds | \$13,839,097 | \$2,658,139 | \$16,497,236 |
| Less estimated income | 0 | 388,000 | 388,000 |
| General fund | \$13,839,097 | \$2,270,139 | \$16,109,236 |
| FTE | 43.50 | 1.00 | 44.50 |
| District Courts | | | |
| Total all funds | \$96,415,675 | \$18,073,844 | \$114,489,519 |
| Less estimated income | 756,963 | 155,868 | 912,831 |
| General fund | \$95,658,712 | \$17,917,976 | \$113,576,688 |
| FTE | 314.00 | 20.00 | 334.00 |
| Judicial Conduct Commission | | | |
| Total all funds | \$1,317,481 | \$139,596 | \$1,457,077 |
| Less estimated income | 502,500 | 31,116 | 533,616 |
| General fund | \$814,981 | \$108,480 | \$923,461 |
| FTE | 4.50 | 0.00 | 4.50 |
| Bill total | | | |
| Total all funds | \$111,572,253 | \$20,871,579 | \$132,443,832 |
| Less estimated income | 1,259,463 | 574,984 | 1,834,447 |
| General fund | \$110,312,790 | \$20,296,595 | \$130,609,385 |
| FTE | 362.00 | 21.00 | 383.00 |

House Bill No. 1002 - Supreme Court - House Action

| | Base Budget | House Changes | House Version |
|---------------------------------|---------------------|--------------------|---------------------|
| Salaries and wages | \$11,202,906 | \$2,069,071 | \$13,271,977 |
| Operating expenses | 2,350,094 | 846,665 | 3,196,759 |
| Capital assets | | 28,500 | 28,500 |
| Guardianship monitoring program | 286,097 | (286,097) | |
| Total all funds | \$13,839,097 | \$2,658,139 | \$16,497,236 |
| Less estimated income | 0 | 388,000 | 388,000 |
| General fund | \$13,839,097 | \$2,270,139 | \$16,109,236 |
| FTE | 43.50 | 1.00 | 44.50 |

Department 181 - Supreme Court - Detail of House Changes

| | Adjusts Funding for Base Payroll Changes ¹ | Adds Funding for Salary and Benefit Increases ² | Adds Funding for Salary Equity ³ | Adds Assistant State Court Administrator FTE Position ⁴ | Adds Funding for Retirement Leave Payouts ⁵ | Adds Funding for Operating Expenses ⁶ |
|---------------------------------|---|--|---|--|--|--|
| Salaries and wages | \$192,047 | \$954,589 | \$125,760 | \$369,734 | \$84,586 | |
| Operating expenses | | | | | | \$514,923 |
| Capital assets | | | | | | |
| Guardianship monitoring program | | | | | | |
| Total all funds | \$192,047 | \$954,589 | \$125,760 | \$369,734 | \$84,586 | \$514,923 |
| Less estimated income | 0 | 0 | 0 | 0 | 0 | 0 |
| General fund | \$192,047 | \$954,589 | \$125,760 | \$369,734 | \$84,586 | \$514,923 |
| FTE | 0.00 | 0.00 | 0.00 | 1.00 | 0.00 | 0.00 |

| | Adjusts Funding to Consolidate Line Items ⁷ | Adds One-Time Funding for Equipment ⁸ | Adds One-Time Funding from Federal Funds ⁹ | Total House Changes |
|---------------------------------|--|--|---|---------------------|
| Salaries and wages | \$249,355 | | \$93,000 | \$2,069,071 |
| Operating expenses | 36,742 | | 295,000 | 846,665 |
| Capital assets | | \$28,500 | | 28,500 |
| Guardianship monitoring program | (286,097) | | | (286,097) |
| Total all funds | \$0 | \$28,500 | \$388,000 | \$2,658,139 |
| Less estimated income | 0 | 0 | 388,000 | 388,000 |
| General fund | \$0 | \$28,500 | \$0 | \$2,270,139 |
| FTE | 0.00 | 0.00 | 0.00 | 1.00 |

¹ Funding is adjusted for base payroll changes, including the cost to continue 2021-23 biennium salaries and wages.

² The following funding is added for 2023-25 biennium salary adjustments of 4 percent on July 1, 2023, and 4 percent on July 1, 2024, and increases in health insurance premiums from \$1,429 to \$1,648 per month:

| General Fund | |
|---------------------------|------------------|
| Salary increase | \$626,385 |
| Health insurance increase | <u>242,061</u> |
| Total | \$868,446 |

In addition, \$86,143 from the general fund is added to provide Supreme Court justices with a total salary increase of 8 percent on July 1, 2023.

³ Funding of \$125,760 from the general fund is added for Supreme Court employee salary equity.

⁴ Funding of \$369,734 is added from the general fund for 1 new FTE state court administrator position.

⁵ Funding of \$84,586 from the general fund is added for the anticipated payout of accrued leave to retiring employees.

⁶ Operating funding is increased as follows:

| | <u>General Fund</u> |
|-------------------------------------|---------------------|
| Increased IT costs | \$235,375 |
| Supreme Court Law Library | 125,500 |
| Rural attorney recruitment program | 36,000 |
| Travel and professional development | 30,710 |
| Office equipment and furniture | 13,300 |
| Other base budget adjustments | <u>74,038</u> |
| Total | \$514,923 |

⁷ Funding is adjusted among the Supreme Court line items to consolidate the guardianship monitoring line item into the salary and wages and operating expenses line items.

⁸ One-time funding of \$28,500 from the general fund is added for equipment, including a microfiche machine and copy machines.

⁹ One-time funding of \$388,000 from a federal Department of Justice grant, including \$93,000 for salaries and wages and \$295,000 for operating expenses, is added to reduce delays in criminal case processing.

House Bill No. 1002 - District Courts - House Action

| | Base Budget | House Changes | House Version |
|-----------------------|----------------|------------------|------------------|
| Salaries and wages | \$76,196,548 | \$12,465,792 | \$88,662,340 |
| Operating expenses | 20,081,881 | 4,442,738 | 24,524,619 |
| Capital assets | | 1,125,220 | 1,125,220 |
| Judges' retirement | <u>137,246</u> | <u>40,094</u> | <u>177,340</u> |
| Total all funds | \$96,415,675 | \$18,073,844 | \$114,489,519 |
| Less estimated income | <u>756,963</u> | <u>155,868</u> | <u>912,831</u> |
| General fund | \$95,658,712 | \$17,917,976 | \$113,576,688 |
| FTE | 314.00 | 20.00 | 334.00 |

Department 182 - District Courts - Detail of House Changes

| | Adjusts Funding for Base Payroll Changes ¹ | Adds Funding for Salary and Benefit Increases ² | Adds Funding for Salary Equity ³ | Adds FTE Positions ⁴ | Adds Funding for Retirement Leave Payouts ⁵ | Increases Funding for Judges' Retirement ⁶ |
|-----------------------|--|---|---|------------------------------------|---|--|
| Salaries and wages | \$269,412 | \$6,869,708 | \$213,330 | \$4,062,666 | \$273,694 | |
| Operating expenses | | | | | | |
| Capital assets | | | | | | \$40,094 |
| Judges' retirement | | | | | | |
| Total all funds | \$269,412 | \$6,869,708 | \$213,330 | \$4,062,666 | \$273,694 | \$40,094 |
| Less estimated income | <u>0</u> | <u>30,990</u> | <u>0</u> | <u>63,662</u> | <u>0</u> | <u>0</u> |
| General fund | \$269,412 | \$6,838,718 | \$213,330 | \$3,999,004 | \$273,694 | \$40,094 |
| FTE | 0.00 | 0.00 | 0.00 | 20.00 | 0.00 | 0.00 |

| | Adds Funding for Drug Court and Veterans' Court ⁷ | Adds Funding for Bailiffs ⁸ | Adjusts Funding for Juvenile Services and Programs ⁹ | Adjusts Operating Funding ¹⁰ | Adds One-Time Funding for Equipment ¹¹ | Total House Changes |
|------------------------|--|--|---|---|---|---------------------|
| Salaries and wages | \$189,582 | \$92,400 | \$495,000 | | | \$12,465,792 |
| Operating expenses | | | (100,226) | \$4,542,964 | | 4,442,738 |
| Capital assets | | | | | \$1,125,220 | 1,125,220 |
| Judges' retirement | | | | | | 40,094 |
| Total all funds | \$189,582 | \$92,400 | \$394,774 | \$4,542,964 | \$1,125,220 | \$18,073,844 |
| Less estimated income | 0 | 0 | 0 | 61,216 | 0 | 155,868 |
| General fund | \$189,582 | \$92,400 | \$394,774 | \$4,481,748 | \$1,125,220 | \$17,917,976 |
| FTE | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 20.00 |

¹ Funding is adjusted for base payroll changes, including cost to continue 2021-23 biennium salaries and wages.

² The following funding is added for 2023-25 biennium salary adjustments of 4 percent on July 1, 2023, and 4 percent on July 1, 2024, and increases in health insurance premiums from \$1,429 to \$1,648 per month:

| | <u>General Fund</u> | <u>Federal Funds</u> | <u>Total</u> |
|---------------------------|---------------------|----------------------|--------------|
| Salary increase | \$4,146,503 | \$20,465 | \$4,166,968 |
| Health insurance increase | 1,764,483 | 10,525 | 1,775,008 |
| Total | \$5,910,986 | \$30,990 | \$5,941,976 |

In addition, \$927,732 from the general fund is added to provide district court judges and referees with a total salary increase of 8 percent on July 1, 2023.

³ Funding of \$213,330 from the general fund is added for district court employee salary equity.

⁴ The following FTE positions and related funding are added:

| | <u>FTE Positions</u> | <u>General Fund</u> | <u>Federal Funds</u> | <u>Total</u> |
|---|----------------------|---------------------|----------------------|--------------|
| District judge | 3.00 | \$1,314,348 | \$0 | \$1,314,348 |
| Staff attorney | 4.00 | 1,014,328 | 0 | 1,014,328 |
| Clerk of court | 11.00 | 1,670,328 | 0 | 1,670,328 |
| Court improvement program conversion from temporary positions | 2.00 | 0 | 63,662 | 63,662 |
| Total | 20.00 | \$3,999,004 | \$63,662 | \$4,062,666 |

⁵ Funding of \$273,694 from the general fund is added for the anticipated payout of accrued leave to retiring employees.

⁶ Funding of \$40,094 from the general fund is added for judges' retirement.

⁷ Funding of \$189,582 from the general fund is added to the salaries and wages line item for drug court and veterans' court coordinators and aides.

⁸ Funding of \$92,400 from the general fund is added for temporary bailiff salaries and wages.

⁹ Funding for youth programming is adjusted as follows:

| | <u>General Fund</u> |
|---|---------------------|
| Adds temporary youth coordinator positions | \$495,000 |
| Removes funding for youth cultural achievement programs | (252,000) |
| Adds funding for youth restorative justice | 144,476 |
| Adjusts funding for other juvenile court services and program costs | 7,298 |
| Total | \$394,774 |

¹⁰ Operating funding is adjusted as follows:

| | <u>General Fund</u> | <u>Other Funds</u> | <u>Total</u> |
|-------------------------------------|---------------------|--------------------|----------------|
| Increased jury compensation rates | \$960,000 | \$0 | \$960,000 |
| Jury costs | 153,500 | 0 | 153,500 |
| IT costs | 2,157,620 | 0 | 2,157,620 |
| Travel and professional development | 622,577 | 0 | 622,577 |
| Family mediation program | 282,800 | 0 | 282,800 |
| Office equipment and furniture | 165,580 | 0 | 165,580 |
| Various operating adjustments | <u>139,671</u> | <u>61,216</u> | <u>200,887</u> |
| Total | \$4,481,748 | \$61,216 | \$4,542,964 |

¹¹ One-time funding of \$1,125,220 from the general fund is added for equipment, including copy machines, courtroom video systems, and server equipment.

House Bill No. 1002 - Judicial Conduct Commission - House Action

| | <u>Base Budget</u> | <u>House Changes</u> | <u>House Version</u> |
|-----------------------------|--------------------|----------------------|----------------------|
| Judicial Conduct Commission | \$1,317,481 | \$139,596 | \$1,457,077 |
| Total all funds | \$1,317,481 | \$139,596 | \$1,457,077 |
| Less estimated income | 502,500 | 31,116 | 533,616 |
| General fund | <u>\$814,981</u> | <u>\$108,480</u> | <u>\$923,461</u> |
| FTE | 4.50 | 0.00 | 4.50 |

Department 183 - Judicial Conduct Commission - Detail of House Changes

| | <u>Adjusts Funding for Base Payroll Changes¹</u> | <u>Adds Funding for Salary and Benefit Increases²</u> | <u>Adds Funding for Retirement Leave Payouts³</u> | <u>Adds Funding for Other Base Budget Adjustments⁴</u> | <u>Total House Changes</u> |
|-----------------------------|---|--|--|---|----------------------------|
| Judicial Conduct Commission | \$9,516 | \$81,680 | \$18,808 | \$29,592 | \$139,596 |
| Total all funds | \$9,516 | \$81,680 | \$18,808 | \$29,592 | \$139,596 |
| Less estimated income | 3,270 | 31,118 | 7,166 | (10,438) | 31,116 |
| General fund | <u>\$6,246</u> | <u>\$50,562</u> | <u>\$11,642</u> | <u>\$40,030</u> | <u>\$108,480</u> |
| FTE | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |

¹ Funding is adjusted for base payroll changes, including the cost to continue 2021-23 biennium salaries and wages.

² The following funding is added for 2023-25 biennium salary adjustments of 4 percent on July 1, 2023, and 4 percent on July 1, 2024, and increases in health insurance premiums from \$1,429 to \$1,648 per month:

| | <u>General Fund</u> | <u>Other Funds</u> | <u>Total</u> |
|---------------------------|---------------------|--------------------|---------------|
| Salary increase | \$34,276 | \$21,093 | \$55,369 |
| Health insurance increase | <u>16,286</u> | <u>10,025</u> | <u>26,311</u> |
| Total | \$50,562 | \$31,118 | \$81,680 |

³ Funding of \$18,808, including \$11,642 from the general fund and \$7,166 from other funds, is added for the anticipated payout of accrued leave to retiring employees.

⁴ Funding is adjusted for other base budget changes, including an increase in professional fees and services.

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