

FIRST ENGROSSMENT

Sixty-eighth  
Legislative Assembly  
of North Dakota

ENGROSSED HOUSE BILL NO. 1002

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, 27-05-03, and 27-09.1-14 of the North Dakota  
3 Century Code, relating to the salaries of justices of the supreme court, the salaries of district  
4 court judges, and compensation of jurors; to provide for transfers; 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 special funds derived from federal funds and  
9 other income, to the judicial branch for the purpose of defraying the expenses of the judicial  
10 branch, for the biennium beginning July 1, 2023, and ending June 30, 2025, as follows:

11 Subdivision 1.

12 SUPREME COURT

	<u>Base Level</u>	Adjustments or <u>Enhancements</u>	<u>Appropriation</u>
14 Salaries and wages	\$11,202,906	\$2,069,071	\$13,271,977
16 Operating expenses	2,350,094	846,665	3,196,759
17 Capital assets	0	28,500	28,500
18 Guardianship monitoring program	<u>286.097</u>	<u>(286.097)</u>	<u>0</u>
19 Total all funds	\$13,839,097	\$2,658,139	\$16,497,236
20 Less estimated income	<u>0</u>	<u>388.000</u>	<u>388.000</u>
21 Total general fund	\$13,839,097	\$2,270,139	\$16,109,236

22 Subdivision 2.

23 DISTRICT COURTS

Sixty-eighth  
Legislative Assembly

		Adjustments or		
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>	
1				
2				
3	Salaries and wages	\$76,196,548	\$12,465,792	\$88,662,340
4	Operating expenses	20,081,881	4,442,738	24,524,619
5	Capital assets	0	1,125,220	1,125,220
6	Judges' retirement	<u>137,246</u>	<u>40,094</u>	<u>177,340</u>
7	Total all funds	\$96,415,675	\$18,073,844	\$114,489,519
8	Less estimated income	<u>756,963</u>	<u>155,868</u>	<u>912,831</u>
9	Total general fund	\$95,658,712	\$17,917,976	\$113,576,688

10 Subdivision 3.

JUDICIAL CONDUCT COMMISSION AND DISCIPLINARY BOARD

		Adjustments or		
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>	
12				
13				
14	Judicial conduct commission and	<u>\$1,317,481</u>	<u>\$139,596</u>	<u>\$1,457,077</u>
15	disciplinary board			
16	Total all funds	\$1,317,481	\$139,596	\$1,457,077
17	Less estimated income	<u>502,500</u>	<u>31,116</u>	<u>533,616</u>
18	Total general fund	\$814,981	\$108,480	\$923,461

19 Subdivision 4.

20 BILL TOTAL

		Adjustments or		
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>	
21				
22				
23	Grand total general fund	\$110,312,790	\$20,296,595	\$130,609,385
24	Grand total special funds	<u>1,259,463</u>	<u>574,984</u>	<u>1,834,447</u>
25	Grand total all funds	\$111,572,253	\$20,871,579	\$132,443,832
26	Full-time equivalent positions	362.00	21.00	383.00

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

28 **SIXTY-NINTH LEGISLATIVE ASSEMBLY.** The following amounts reflect one-time funding  
 29 items approved by the sixty-seventh legislative assembly for the 2021-23 biennium and the  
 30 2023-25 biennium one-time funding items included in section 1 of this Act:

	<u>2021-23</u>	<u>2023-25</u>
1 <u>One-Time Funding Description</u>		
2    Juvenile case management system	\$2,000,000	\$0
3    Information technology equipment	157,600	1,153,720
4    Federal department of justice grant	0	388,000
5    Docket management system	<u>2,020,000</u>	<u>0</u>
6    Total all funds	\$4,177,600	\$1,541,720
7    Less estimated income	<u>2,177,600</u>	<u>388,000</u>
8    Total general fund	\$2,000,000	\$1,153,720

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

13        **SECTION 3. APPROPRIATION.** There are appropriated any funds received by the  
14    supreme court, district courts, and judicial conduct commission and disciplinary board, not  
15    otherwise appropriated, pursuant to federal acts and private gifts, grants, and donations for the  
16    purpose as designated in the federal acts or private gifts, grants, and donations for the period  
17    beginning July 1, 2023, and ending June 30, 2025.

18        **SECTION 4. EXEMPTION - TRANSFERS.** Notwithstanding section 54-16-04, the director  
19    of the office of management and budget shall transfer appropriation authority between line items  
20    in section 1 of this Act as requested by the supreme court upon a finding by the court that the  
21    nature of the duties of the court and its staff requires the transfers to carry on properly the  
22    functions of the judicial branch of government.

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

25        **27-02-02. Salaries of justices of supreme court.**

26        The annual salary of each justice of the supreme court is ~~one hundred sixty five thousand~~  
27    ~~eight hundred forty five dollars through June 30, 2022, and one hundred sixty nine thousand~~  
28    ~~one hundred sixty two one hundred eighty-two thousand six hundred ninety-five dollars through~~  
29    June 30, 2024, and one hundred ninety thousand three dollars thereafter. The chief justice of  
30    the supreme court is entitled to receive an additional ~~four thousand six hundred ninety dollars~~  
31    ~~per annum through June 30, 2022, and four thousand seven hundred eighty four~~ five thousand

1 one hundred sixty-seven dollars per annum through June 30, 2024, and five thousand three  
2 hundred seventy-four dollars per annum thereafter.

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

5 **27-05-03. Salaries and expenses of district judges.**

6 The annual salary of each district judge is ~~one hundred fifty-two thousand one hundred~~  
7 ~~seventy-five dollars through June 30, 2022, and one hundred fifty-five thousand two hundred~~  
8 ~~nineteen~~ one hundred sixty-seven thousand six hundred thirty-seven dollars through June 30,  
9 2024, and one hundred seventy-four thousand three hundred forty-two dollars thereafter. Each  
10 district judge is entitled to travel expenses, including mileage and subsistence while engaged in  
11 the discharge of official duties outside the city in which the judge's chambers are located. The  
12 salary and expenses are payable monthly in the manner provided by law. A presiding judge of a  
13 judicial district is entitled to receive an additional ~~four thousand three hundred twenty-four~~  
14 ~~dollars per annum through June 30, 2022, and four thousand four hundred ten~~ four thousand  
15 seven hundred sixty-three dollars per annum through June 30, 2024, and four thousand nine  
16 hundred fifty-four dollars thereafter.

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

19 **27-09.1-14. Mileage and compensation of jurors.**

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