

**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**

	Governor's		
	Base Level	Recommendation	Appropriation
Salaries and wages	\$11,202,906	\$13,707,523	\$11,202,906
Operating expenses	2,350,094	3,196,759	2,350,094
Capital assets	0	28,500	0
Guardianship monitoring program	286,097	0	286,097
Total all funds	\$13,839,097	\$16,932,782	\$13,839,097
Less estimated income	0	388,000	0
Total general fund	\$13,839,097	\$16,544,782	\$13,839,097

22 ~~Subdivision 2.~~

23 **DISTRICT COURTS**

				Governor's		
				Base Level	Recommendation	Appropriation
1						
2						
3	Salaries and wages			\$76,196,548	\$94,802,932	\$76,196,548
4	Operating expenses			20,081,881	24,524,619	20,081,881
5	Capital assets			0	1,125,220	0
6	Judges' retirement			137,246	177,340	137,246
7	Total all funds			\$96,415,675	\$120,630,111	\$96,415,675
8	Less estimated income			756,963	892,129	756,963
9	Total general fund			\$95,658,712	\$119,737,982	\$95,658,712
10	Subdivision 3:					
11	JUDICIAL CONDUCT COMMISSION AND DISCIPLINARY BOARD					
12				Governor's		
13				Base Level	Recommendation	Appropriation
14	Salaries and wages			\$1,317,481	\$1,475,043	\$1,317,481
15	Total all funds			\$1,317,481	\$1,475,043	\$1,317,481
16	Less estimated income			502,500	540,464	502,500
17	Total general fund			\$814,981	\$934,579	\$814,981
18	Subdivision 4:					
19	BILL TOTAL					
20	Governor's					
21	Base Level Recommendation Appropriation					
22	Grand total general fund			\$110,312,790	\$137,217,343	\$110,312,790
23	Grand total special funds			1,259,463	1,820,593	1,259,463
24	Grand total all funds			\$111,572,253	\$139,037,936	\$111,572,253
25	Full-time equivalent positions			362.00	386.00	362.00
26	SUPREME COURT					
27	Adjustments or					
28				Base Level	Enhancements	Appropriation
29	Salaries and wages			\$11,202,906	\$2,069,071	\$13,271,977
30	Operating expenses			2,350,094	846,665	3,196,759
31	Capital assets			0	28,500	28,500

Sixty-eighth  
Legislative Assembly

1	Guardianship monitoring program	286,097	(286,097)	0
2	Total all funds	\$13,839,097	\$2,658,139	\$16,497,236
3	Less estimated income	0	388,000	388,000
4	Total general fund	\$13,839,097	\$2,270,139	\$16,109,236
5	<u>Subdivision 2.</u>			
6	<u>DISTRICT COURTS</u>			
7		<u>Adjustments or</u>		
8		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
9	Salaries and wages	\$76,196,548	\$12,465,792	\$88,662,340
10	Operating expenses	20,081,881	4,442,738	24,524,619
11	Capital assets	0	1,125,220	1,125,220
12	Judges' retirement	137,246	40,094	177,340
13	Total all funds	\$96,415,675	\$18,073,844	\$114,489,519
14	Less estimated income	756,963	155,868	912,831
15	Total general fund	\$95,658,712	\$17,917,976	\$113,576,688
16	<u>Subdivision 3.</u>			
17	<u>JUDICIAL CONDUCT COMMISSION AND DISCIPLINARY BOARD</u>			
18		<u>Adjustments or</u>		
19		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
20	Judicial conduct commission and	\$1,317,481	\$139,596	\$1,457,077
21	disciplinary board			
22	Total all funds	\$1,317,481	\$139,596	\$1,457,077
23	Less estimated income	502,500	31,116	533,616
24	Total general fund	\$814,981	\$108,480	\$923,461
25	<u>Subdivision 4.</u>			
26	<u>BILL TOTAL</u>			
27		<u>Adjustments or</u>		
28		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
29	Grand total general fund	\$110,312,790	\$20,296,595	\$130,609,385
30	Grand total special funds	1,259,463	574,984	1,834,447

1	<u>Grand total all funds</u>	<u>\$111,572,253</u>	<u>\$20,871,579</u>	<u>\$132,443,832</u>
2	<u>Full-time equivalent positions</u>	<u>362.00</u>	<u>21.00</u>	<u>383.00</u>

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

4        **SIXTY-NINTH LEGISLATIVE ASSEMBLY.** The following amounts reflect one-time funding  
5 items approved by the sixty-seventh legislative assembly for the 2021-23 biennium and the  
6 2023-25 biennium one-time funding items included in section 1 of this Act:

7	<u>One-Time Funding Description</u>	<u>2021-23</u>		<u>2023-25</u>
8	Juvenile case management system	\$2,000,000		\$0
9	<del>Information technology equipment</del>	<del>157,600</del>		<del>0</del>
10	<u>Information technology equipment</u>	<u>157,600</u>		<u>1,153,720</u>
11	<u>Federal department of justice grant</u>	<u>0</u>		<u>388,000</u>
12	Docket management system	<u>2,020,000</u>		<u>0</u>
13	<del>Total all funds</del>	<del>\$4,177,600</del>		<del>\$0</del>
14	<del>Less estimated income</del>	<del>2,177,600</del>		<del>0</del>
15	<del>Total general fund</del>	<del>\$2,000,000</del>		<del>\$0</del>
16	<u>Total all funds</u>	<u>\$4,177,600</u>		<u>\$1,541,720</u>
17	<u>Less estimated income</u>	<u>2,177,600</u>		<u>388,000</u>
18	<u>Total general fund</u>	<u>\$2,000,000</u>		<u>\$1,153,720</u>

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

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

28        **SECTION 4. EXEMPTION - TRANSFERS.** Notwithstanding section 54-16-04, the director  
29 of the office of management and budget shall transfer appropriation authority between line items  
30 in section 1 of this Act as requested by the supreme court upon a finding by the court that the

1 nature of the duties of the court and its staff requires the transfers to carry on properly the  
2 functions of the judicial branch of government.

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

5 **27-02-02. Salaries of justices of supreme court.**

6 The annual salary of each justice of the supreme court is ~~one hundred sixty-five thousand~~  
7 ~~eight hundred forty-five dollars through June 30, 2022, and one hundred sixty-nine thousand~~  
8 ~~one hundred sixty-two~~ one hundred eighty-two thousand six hundred ninety-five dollars through  
9 June 30, 2024, and one hundred ninety thousand three dollars thereafter. The chief justice of  
10 the supreme court is entitled to receive an additional ~~four thousand six hundred ninety dollars~~  
11 ~~per annum through June 30, 2022, and four thousand seven hundred eighty-four~~ five thousand  
12 one hundred sixty-seven dollars per annum through June 30, 2024, and five thousand three  
13 hundred seventy-four dollars per annum thereafter.

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

16 **27-05-03. Salaries and expenses of district judges.**

17 The annual salary of each district judge is ~~one hundred fifty-two thousand one hundred~~  
18 ~~seventy-five dollars through June 30, 2022, and one hundred fifty-five thousand two hundred~~  
19 ~~nineteen~~ one hundred sixty-seven thousand six hundred thirty-seven dollars through June 30,  
20 2024, and one hundred seventy-four thousand three hundred forty-two dollars thereafter. Each  
21 district judge is entitled to travel expenses, including mileage and subsistence while engaged in  
22 the discharge of official duties outside the city in which the judge's chambers are located. The  
23 salary and expenses are payable monthly in the manner provided by law. A presiding judge of a  
24 judicial district is entitled to receive an additional ~~four thousand three hundred twenty-four~~  
25 ~~dollars per annum through June 30, 2022, and four thousand four hundred ten~~ four thousand  
26 seven hundred sixty-three dollars per annum through June 30, 2024, and four thousand nine  
27 hundred fifty-four dollars thereafter.

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

1        **27-09.1-14. Mileage and compensation of jurors.**

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