

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>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
13			
14			
15	Salaries and wages	\$11,202,906	\$2,069,071
16	Operating expenses	\$13,271,977	\$3,196,759
17	Capital assets	2,350,094	846,665
18	Guardianship monitoring program	0	28,500
19	Total all funds	<u>286,097</u>	<u>(286,097)</u>
20	Less estimated income	\$13,839,097	\$2,658,139
21	Total general fund	0	<u>388,000</u>
22		\$13,839,097	\$16,497,236
23		\$2,270,139	\$16,109,236

22 Subdivision 2.

23 DISTRICT COURTS

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		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.

11 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>One-Time Funding Description</u>	<u>2021-23</u>	<u>2023-25</u>
1			
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 ~~fifty~~ 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.