

February 18, 2025

Sixty-ninth
Legislative Assembly
of North Dakota

PROPOSED AMENDMENTS TO

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.

SUPREME COURT

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
14 Salaries and wages	\$12,363,778	\$0	\$12,363,778
15 Operating expenses	2,915,259	0	2,915,259
16 New and vacant FTE funding pool	8,740,214	0	8,740,214
17 Total all funds	\$24,019,251	\$0	\$24,019,251

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1	Less other funds	97,793	0	97,793
2	Total general fund	\$23,921,458	\$0	\$23,921,458
3	Salaries and wages	\$12,363,778	\$1,055,927	\$13,419,705
4	New and vacant FTE pool	8,740,214	(68,714)	8,671,500
5	Operating expenses	2,915,259	191,426	3,106,685
6	Capital assets	0	866,100	866,100
7	Total all funds	\$24,019,251	\$2,044,739	\$26,063,990
8	Less other funds	97,793	(53,664)	44,129
9	Total general fund	\$23,921,458	\$2,098,403	\$26,019,861

10 Subdivision 2.

11 DISTRICT COURTS

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

27 Subdivision 3.

28 JUDICIAL CONDUCT COMMISSION AND DISCIPLINARY BOARD

29			Adjustments or	
30		Base Level	Enhancements	Appropriation
31	Salaries and wages	\$1,399,862	\$0	\$1,399,862

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1	Total all funds	\$1,399,862	\$0	\$1,399,862
2	Less other funds	512,317	0	512,317
3	Total general fund	\$887,545	\$0	\$887,545
4	Judicial conduct commission and	\$1,399,862	\$155,643	\$1,555,505
5	<u>disciplinary board</u>			
6	Total all funds	\$1,399,862	\$155,643	\$1,555,505
7	Less other funds	512,317	(2,779)	509,538
8	Total general fund	\$887,545	\$158,422	\$1,045,967
9	<u>Subdivision 4.</u>			
10	<u>Office of Guardianship and Conservatorship</u>			
11			Adjustments or	
12		Base Level	Enhancements	Appropriation
13	Office of guardianship and conservatorship	\$0	\$936,405	\$936,405
14	Total general fund	\$0	\$936,405	\$936,405
15	<u>Subdivision 4.5.</u>			
16	TOTAL - SECTION 1			
17			Adjustments or	
18		Base Level	Enhancements	Appropriation
19	Grand total all funds	\$129,697,412	\$0	\$129,697,412
20	Grand total other funds	1,440,428	0	1,440,428
21	Grand total general fund	\$128,256,984	\$0	\$128,256,984
22	Full-time equivalent positions	384.00	0.00	384.00
23	Grand total all funds	\$129,697,412	\$22,006,920	\$151,704,332
24	Grand total other funds	1,440,428	(67,763)	1,372,665
25	Grand total general fund	\$128,256,984	\$22,074,683	\$150,331,667
26	Full-time equivalent positions	384.00	12.00	396.00
27	SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO THE			
28	SEVENTIETH LEGISLATIVE ASSEMBLY. The following amounts reflect the one-time funding			
29	items included in the appropriation in section 1 of this Act which are not included in the entity's			
30	base budget for the 2027-29 biennium and which the entity shall report to the appropriations			
31	committees of the seventieth legislative assembly regarding the use of this funding:			

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

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

1. The supreme court may not spend funding from the new and vacant FTE funding pool line item in subdivision 1 of section 1 of this Act, but may transfer funds from this line item to the salaries and wages line items within subdivisions 1 and 2 of this Act, to the guardianship and conservatorship line item within subdivision 1 of this Act, and to the judicial conduction commission and disciplinary board line item within subdivision 3 of this Act, as necessary to provide funding for:
 - a. Filling a new position from the date of hire through the end of the biennium; or
 - b. Salaries and wages if actual salaries and wages savings from vacant positions and employee turnover, adjusted for other uses, are less than the estimate used by the sixty-ninth legislative assembly in the development of the appropriation.
2. The supreme court shall report to the budget section regarding the use of funding in the pool, including information on:
 - a. New FTE positions, including the date hired;
 - b. Vacant FTE positions, including information regarding positions that become vacant and positions filled, salaries and wages savings resulting from vacant positions and employee turnover, and the use of salaries and wages savings for other purposes; and
 - c. Additional salaries and wages funding needed due to savings from vacant positions being less than anticipated.

3. If funding in the new and vacant FTE pool line item is insufficient to provide the necessary salaries and wages funding for the biennium, the supreme court may request a deficiency appropriation from the seventieth legislative assembly.

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

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

SECTION 7. EXEMPTION - TRANSFERS. Notwithstanding section 54-16-04, the director of the office of management and budget shall transfer appropriation authority between line items

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- 1 in section 1 of this Act, as requested by the supreme court upon a finding by the court that the
- 2 nature of the duties of the court and its staff requires the transfers to carry on properly the
- 3 functions of the judicial branch of government.