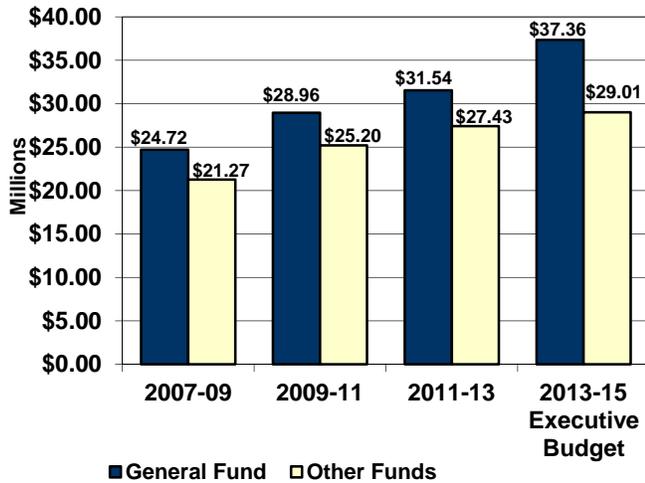


**Department 125 - Attorney General
 House Bill No. 1003**

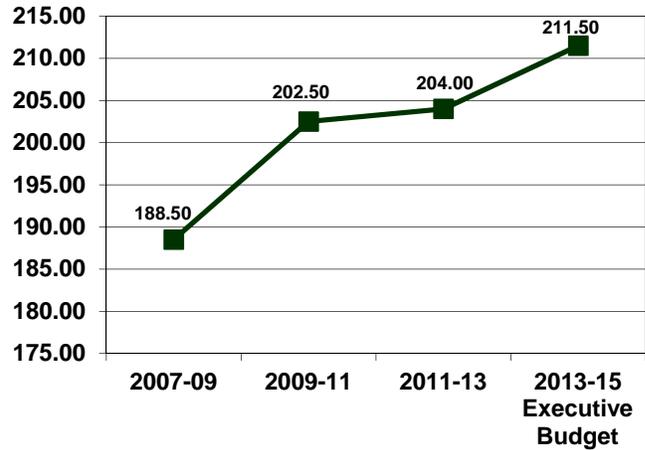
	FTE Positions	General Fund	Other Funds	Total
2013-15 Executive Budget	211.50	\$37,358,136	\$29,012,463	\$66,370,599
2011-13 Legislative Appropriations	204.00	31,542,245	27,427,177	58,969,422 ¹
Increase (Decrease)	7.50	\$5,815,891	\$1,585,286	\$7,401,177

¹The 2011-13 appropriation amounts do not include \$286,200 of additional general fund authority from the state contingencies appropriation and \$100,000 in additional special fund authority resulting from Emergency Commission action during the 2011-13 biennium.

Agency Funding



FTE Positions



Ongoing and One-Time General Fund Appropriations

	Ongoing General Fund Appropriation	One-Time General Fund Appropriation	Total General Fund Appropriation
2013-15 Executive Budget	\$37,025,046	\$333,090	\$37,358,136
2011-13 Legislative Appropriations	31,229,845	312,400	31,542,245
Increase (Decrease)	\$5,795,201	\$20,690	\$5,815,891

First House Action

Attached is a summary of first house changes.

**Executive Budget Highlights
 (With First House Changes in Bold)**

	General Fund	Other Funds	Total
1. Adds the following 7 FTE positions and related operating and motor vehicle expenses previously funded by federal fiscal stimulus funds: 1 FTE criminal investigator for 24/7 sobriety program 1 FTE criminal investigator for the Internet Crimes Against Children enforcement program 1 FTE administrative assistant position for grant management 2 FTE criminal intelligence analyst positions 2 FTE forensic scientist positions	\$1,037,590	\$58,000	\$1,095,590
2. Adds 2 FTE administrative assistant positions for processing concealed weapons permits in association with the National Instant Check System (NICS). The House removed .5 FTE administrative assistant position and \$39,074 of other funds.	\$307	\$240,022	\$240,329

3. Removes funding and 7 FTE positions funded with federal fiscal stimulus funds and 1.5 FTE positions funded with federal funds related to the NICS		(\$1,667,632)	(\$1,667,632)
4. Adds 2 FTE criminal investigator positions and 1 FTE administrative assistant position to address law enforcement needs in western North Dakota. The House removed these positions.	\$457,146	\$69,650	\$526,796
5. Adds 1 FTE forensic scientist position to address the use of synthetic drugs in the state	\$146,039		\$146,039
6. Adds 1 FTE administrative assistant position for the Uniform Crime Reporting system. The House removed this position.		\$113,456	\$113,456
7. Adds 1 FTE attorney position for work related to the Department of Trust Lands. The House removed this position.		\$239,853	\$239,853
8. Adds 1 FTE organized crime investigator position. The House removed this position.		\$211,471	\$211,471
9. Adds funding for information technology contract services	\$500,000	\$76,100	\$576,100
10. Provides additional funding for ongoing information technology and rental costs	\$461,903		\$461,903
11. Adds funding for information technology services in the Lottery Division		\$350,000	\$350,000
12. Adds funding for program maintenance, office security, backup, and recovery		\$556,048	\$556,048
13. Adds one-time funding to replace 11 undercover vehicles	\$198,000		\$198,000
14. Adds one-time funding for salary adjustments and housing allowances for employees located in oil-impacted areas. The House removed this funding.	\$135,090		\$135,090
15. Provides funding for state employee salary increases of which \$1,574,513 relates to performance increases and \$812,026 is for market equity adjustments. The House added \$175,026 to correct the executive compensation package and reduced funding by \$1,092,227 relating to performance and market equity salary increases.	\$1,937,586	\$448,953	\$2,386,539
16. Provides additional funding for salary equity increases for forensic scientists in the Crime Laboratory	\$85,401		\$85,401
17. Provides additional funding for salary equity adjustments for attorneys		\$480,717	\$480,717

Other Sections in Bill

Salary of Attorney General - Section 4 provides for the statutory changes necessary to increase the Attorney General's salary as follows:

Annual salary authorized by the 2011 Legislative Assembly:

July 1, 2011	\$134,135
July 1, 2012	\$138,159

Proposed annual salary recommended in the 2013-15 executive budget:

July 1, 2013	\$143,685
July 1, 2014	\$149,432

Proposed annual salary with House changes:

July 1, 2013	\$142,304
July 1, 2014	\$146,573

The executive budget recommendation provided funding for elected officials' salary increases equal to 4 percent of salaries effective July 1, 2013, and 4 percent effective July 1, 2014. **The House reduced the salary of the Attorney General to provide for 3 percent annual salary increases.**

Information technology services - The House added a section to amend North Dakota Century Code Section 54-59-22 to remove the exemption for the Attorney General, the Public Employees Retirement System, and the Retirement and Investment Office from the use of information technology services of the Information Technology Department.

Continuing Appropriations

Assets forfeiture fund - Section 54-12-14 - To pay costs related to law enforcement activities of the Attorney General's office

Lottery operating fund - Section 53-12.1-09 - To pay costs of operating the lottery

Refund fund - Section 54-12-18 - To pay costs of the Consumer Protection and Antitrust Division and the Gaming Division

Special operations team reimbursement fund - Section 54-12-23 - To reimburse city and county governments that provide special operations team services to rural areas

Sobriety program fund - Section 54-12-29 - To pay costs of administering and operating the sobriety program

Multijurisdictional Drug Task Force fund - Section 54-12-26 - To provide support for the narcotics enforcement efforts of the state

Significant Audit Findings

The operational audit for the Attorney General's office conducted by the State Auditor's office during the 2011-12 interim identified no significant audit findings.

Major Related Legislation

House Bill No. 1399 - Requires the Attorney General to consider bringing action against the United States Fish and Wildlife Service relating to delineation and description of wetland easements acquired by the United States Fish and Wildlife Service

Senate Bill No. 2056 - Provides that victims or witnesses must be able to opt out of the statewide automated victim information and notification system

Senate Bill No. 2106 - Requires permits and registrations of persons using roll-your-own cigarette machines. Cigarettes made on these machines are subject to wholesale tobacco taxes.

Senate Bill No. 2185 - Requires Job Service North Dakota to enter a data sharing agreement with the Attorney General for the purpose of monitoring individuals who are required to register as sexual offenders or offenders against children

Senate Bill No. 2212 - Provides a general fund appropriation of \$200,000 to the Attorney General to defray the expenses of the Minot State University Rural Crime and Justice Center Victim Assistance Academy for the 2013-15 biennium

Senate Bill No. 2240 - Provides a general fund appropriation of \$1.2 million to the Attorney General for the purchase of secure continuous remote alcohol monitors

ATTACH:1

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1003 - Funding Summary

	Executive Budget	House Changes	House Version
Attorney General			
Salaries and wages	\$35,825,800	(\$3,161,619)	\$32,664,181
Operating expenses	20,946,586	(260,972)	20,685,614
Capital assets	2,363,077	(60,000)	2,303,077
Grants	2,373,947		2,373,947
Litigation fees	50,000		50,000
Medical examinations	660,000		660,000
North Dakota Lottery	4,133,821		4,133,821
Arrest and return of fugitives	10,000		10,000
Gaming Commission	7,368		7,368
Accrued leave payments	<u> </u>	<u>1,057,247</u>	<u>1,057,247</u>
Total all funds	\$66,370,599	(\$2,425,344)	\$63,945,255
Less estimated income	<u>29,012,463</u>	<u>(888,332)</u>	<u>28,124,131</u>
General fund	\$37,358,136	(\$1,537,012)	\$35,821,124
FTE	211.50	(6.50)	205.00
Bill Total			
Total all funds	\$66,370,599	(\$2,425,344)	\$63,945,255
Less estimated income	<u>29,012,463</u>	<u>(888,332)</u>	<u>28,124,131</u>
General fund	\$37,358,136	(\$1,537,012)	\$35,821,124
FTE	211.50	(6.50)	205.00

House Bill No. 1003 - Attorney General - House Action

	Executive Budget	House Changes	House Version
Salaries and wages	\$35,825,800	(\$3,161,619)	\$32,664,181
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Capital assets	2,363,077	(60,000)	2,303,077
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Less estimated income	<u>29,012,463</u>	<u>(888,332)</u>	<u>28,124,131</u>
General fund	\$37,358,136	(\$1,537,012)	\$35,821,124
FTE	211.50	(6.50)	205.00

Department 125 - Attorney General - Detail of House Changes

	Corrects Executive Compensation Package¹	Adjusts State Employee Compensation and Benefits Package²	Provides Separate Line Item for Accrued Leave Payments³	Removes New FTE Position for Concealed Weapons Permits⁴	Removes New FTE Positions for Western North Dakota⁵	Removes New Uniform Crime Reporting System Position⁶
Salaries and wages	175,026	(1,334,630)	(1,057,247)	(39,074)	(386,237)	(98,780)
Operating expenses					(100,559)	(14,676)
Capital assets					(40,000)	
Grants						
Litigation fees						
Medical examinations						
North Dakota Lottery						
Arrest and return of fugitives						
Gaming Commission						
Accrued leave payments			1,057,247			
Total all funds	\$175,026	(\$1,334,630)	\$0	(\$39,074)	(\$526,796)	(\$113,456)
Less estimated income	37,744	(252,572)	0	(39,074)	(69,650)	(113,456)
General fund	\$137,282	(\$1,082,058)	\$0	\$0	(\$457,146)	\$0
FTE	0.00	0.00	0.00	(0.50)	(3.00)	(1.00)

	Removes New Attorney Position⁷	Removes New Investigator Position⁸	Removes Funding for Oil Impact Assistance⁹	Total House Changes
Salaries and wages	(198,738)	(143,729)	(78,210)	(3,161,619)
Operating expenses	(41,115)	(47,742)	(56,880)	(260,972)
Capital assets		(20,000)		(60,000)
Grants				
Litigation fees				
Medical examinations				
North Dakota Lottery				
Arrest and return of fugitives				
Gaming Commission				
Accrued leave payments				1,057,247
Total all funds	(\$239,853)	(\$211,471)	(\$135,090)	(\$2,425,344)
Less estimated income	(239,853)	(211,471)	0	(888,332)
General fund	\$0	\$0	(\$135,090)	(\$1,537,012)
FTE	(1.00)	(1.00)	0.00	(6.50)

¹ Funding is added due to a calculation error in the executive compensation package.

² This amendment adjusts the state employee compensation and benefits package as follows:

- Reduces the performance component from 3 to 5 percent per year to 2 to 4 percent per year.
- Reduces the market component from 2 to 4 percent per year for employees below the midpoint of their salary range to up to 2 percent for employees in the first quartile of their salary range for the first year of the biennium only.
- Removes funding for additional retirement contribution increases.

³ A portion of salaries and wages funding from the general fund (\$835,225) and from other funds (\$222,022) for permanent employees' compensation and benefits is reallocated to an accrued leave payments line item for paying annual leave and sick leave for eligible employees.

⁴ This amendment removes a .5 FTE position for processing concealed weapons permits. The executive budget recommendation added 2 FTE positions for this purpose, of which 1.5 were previously paid for with federal funds related to the National Instant Check System (NICS).

⁵ This amendment removes 2 FTE criminal investigator and 1 FTE administrative assistant positions and related operating and motor vehicle expenses added in the executive budget recommendation for law enforcement activities in western North Dakota.

⁶ This amendment removes 1 FTE administrative assistant position and related operating expenses for the uniform crime reporting system added in the executive budget.

⁷ This amendment removes 1 FTE attorney position and related operating expenses added in the executive budget to review mineral leases and other legal information relating to the Department of Trust Lands.

⁸ This amendment removes 1 FTE organized crime investigator position and related operating and motor vehicle expenses added in the executive budget.

⁹ Funding included in the executive budget recommendation for salary add-ons and housing assistance for employees in oil-impacted areas is removed.

This amendment also:

- Amends Section 54-59-22 to remove the exemption for the Attorney General, the Public Employees Retirement System, and the Retirement and Investment Office from the use of information technology services of the Information Technology Department.
- Changes Section 4 of the bill to reflect the Attorney General salary increases at 3 percent for each year of the biennium rather than 4 percent each year as included in the executive budget.