

**Department 125 - Attorney General
 Senate Bill No. 2003**

Executive Budget Comparison to Prior Biennium Appropriations

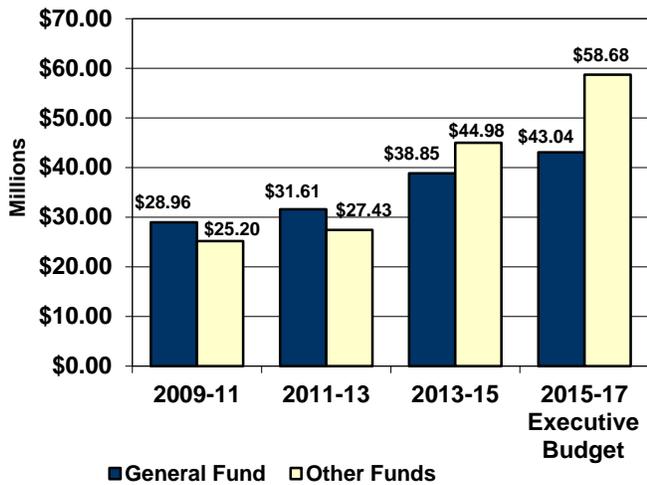
	FTE Positions	General Fund	Other Funds	Total
2015-17 Executive Budget	238.00	\$43,044,137	\$58,681,999	\$101,726,136
2013-15 Legislative Appropriations	213.50 ¹	38,851,628	44,982,450	83,834,078
Increase (Decrease)	24.50	\$4,192,509	\$13,699,549	\$17,892,058

¹The 2013-15 legislative appropriations include 1 FTE position authorized for only the 2013-15 biennium.

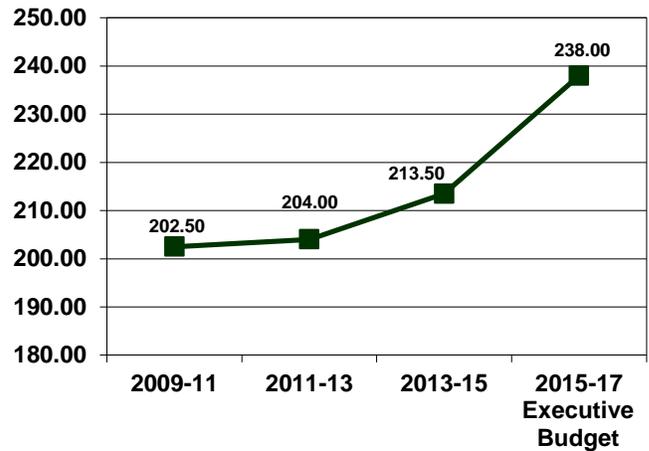
Ongoing and One-Time General Fund Appropriations

	Ongoing General Fund Appropriation	One-Time General Fund Appropriation	Total General Fund Appropriation
2015-17 Executive Budget	\$42,824,137	\$220,000	\$43,044,137
2013-15 Legislative Appropriations	37,275,528	1,576,100	38,851,628
Increase (Decrease)	\$5,548,609	(\$1,356,100)	\$4,192,509

Agency Funding



FTE Positions



Executive Budget Comparison to Base Level

	General Fund	Other Funds	Total
2015-17 Executive Budget	\$43,044,137	\$58,681,999	\$101,726,136
2015-17 Base Level	37,275,528	35,382,450	72,657,978
Increase (Decrease)	\$5,768,609	\$23,299,549	\$29,068,158

First House Action

Attached is a comparison worksheet detailing first house changes to base level funding and the executive budget.

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

	General Fund	Other Funds	Total
1. Provides funding for state employee salary and benefit increases, of which \$2,097,330 relates to performance increases, \$467,681 is for market equity adjustments, \$1,036,277 is for health insurance increases, and \$215,228 is for retirement contribution increases. The Senate provided funding for performance salary increases of 2 to 4 percent per year and funding for health insurance increases, but did not include funding for market equity increases or funding for retirement contribution increases.	\$3,606,609	\$209,907	\$3,816,516

2. Provides special equity salary funding from the oil and gas impact grant fund of \$650 per month for all Bureau of Criminal Investigation (BCI) criminal investigators (\$15,600 biannually) included in the oil impact law enforcement package. The Senate did not include the special equity salary funding.	\$0	\$322,814	\$322,814
3. Provides funding from the general fund and other funds, including the oil and gas impact grant fund, for 19.50 FTE positions and related expenses, \$20 million oil impact law enforcement grants and other expenses included in the oil impact law enforcement package as follows:			
• Adds 2.00 criminal investigator FTE positions (\$382,945) and related operating expenses (\$155,721) to the Watford City area	\$0	\$538,666	\$538,666
• Adds 1.00 FTE Assistant Attorney General (\$215,390) and related operating expenses (\$86,746) for oil-impacted areas	0	302,136	302,136
• Adds 2.00 criminal investigator FTE positions (\$382,945) and related operating expenses, to Williston for oil-impacted areas and provides funding to support assistance to Internet Crimes Against Children affiliates (\$206,646)	0	589,591	589,591
• Adds 2.00 intelligence analyst FTE positions that were previously funded through federal funds. The Senate moved \$43,897 from other operating expenses to these positions for related operating expenses to provide a total of \$335,263 from other funds.	0	291,366	291,366
• Adds 1.00 administrative assistant FTE position (\$116,315) and related operating expenses (\$15,875) for classification of sex offenders from out-of-state	0	132,190	132,190
• Adds 1.00 criminal investigator FTE position (\$191,473) and related operating expenses (\$69,100) to the Southwest area	0	260,573	260,573
• Adds 1.00 administrative assistant FTE position (\$116,315) and related operating expenses (\$15,875) for managing the narcotics buy fund, tracking statistics, and other administrative functions	0	132,190	132,190
• Adds 1.00 grants administrator FTE position (\$116,315) and related operating expenses (\$15,875)	0	132,190	132,190
• Adds 1.00 Assistant Attorney General FTE position (\$181,853) and related operating expenses (\$16,766)	0	198,619	198,619
• Adds 1.00 forensic scientist FTE position	0	165,554	165,554
• Adds .50 attorney FTE position (\$139,357) and related operating expenses (\$25,907) to assist in the criminal/regulatory legal division	0	165,264	165,264
• Adds 1.00 intelligence analyst FTE position for oil-impacted areas	0	145,683	145,683
• Adds 1.00 BCI agent I FTE position for oil-impacted areas. The Senate moved \$43,897 from other operating expenses to this position for related operating expenses to provide a total of \$189,580 from other funds.	0	145,683	145,683
• Adds 4.00 BCI agent II FTE positions for oil-impacted areas	270,336	495,555	765,891
• Adds funding for other operating expenses. The Senate moved \$87,794 to FTE positions referred to above and provided \$673,254 from other funds for other operating expenses.	0	761,048	761,048
• Provides oil impact law enforcement grants from the oil and gas impact grant fund for law enforcement agencies in oil-impacted counties where crime-related activities have increased or in other counties if the crime-related activities in oil-impacted counties originated in any of those other counties	0	20,000,000	20,000,000
Total oil impact law enforcement funding	\$270,336	\$24,456,308	\$24,726,644

4. Restores programmer analyst FTE position (\$142,278) and related expenses (\$31,314) provided by the 2013 Legislative Assembly as one-time funding for the 2013-15 biennium	\$142,278	\$31,314	\$173,592
5. Adds 2.00 paralegal FTE positions (\$270,339) and related expenses (\$37,040)	\$0	\$307,379	\$307,379
6. Adds 1.00 FTE gaming staff (\$121,845) and related expenses (\$21,985)	\$82,907	\$60,923	\$143,830
7. Adds 2.00 concealed weapons administrative assistant FTE positions (\$212,918) and related expenses (\$48,848)	\$0	\$261,766	\$261,766
8. Provides tobacco enforcement funding from the tobacco settlement trust fund	\$0	\$200,000	\$200,000
9. Provides funding for changes to the North Dakota Lottery, which include \$226,200 for a new Monopoly game, \$88,800 for public notices, and \$715,000 for the new player's club points for prizes program	\$0	\$1,030,000	\$1,030,000
10. Provides funding for information technology contractual service and repairs	\$0	\$800,000	\$800,000
11. Provides funding for the criminal history improvement project (\$970,000) and BCI and State Crime Laboratory application enhancements (\$634,000)	\$0	\$1,604,000	\$1,604,000
12. Provides funding for information technology software and supplies	\$262,332	\$0	\$262,332
13. Increases operating expenses. The Senate increased operating expenses by an additional \$200,000 from the general fund to provide a total increase of \$1,241,794.	\$933,418	\$108,376	\$1,041,794
14. Reduces federal funds for BCI	\$0	(\$1,082,479)	(\$1,082,479)
15. Removes completed information technology projects	\$0	(\$4,754,908)	(\$4,754,908)
16. Adds one-time funding to purchase 10 undercover BCI vehicles	\$220,000	\$0	\$220,000

Other Sections in Bill

Appropriation - 2013-15 biennium - Section 3 added by the Senate provides a \$1 million appropriation from the general fund to the Attorney General for the remainder of the 2013-15 biennium for early hiring of FTE positions.

Continuing appropriations - Section 4 provides the Attorney General may retain the balance in the Attorney General refund fund on June 30, 2015, rather than transferring the balance to the general fund.

Exemption - Grants to law enforcement agencies - Section 5 added by the Senate provides an exemption from North Dakota Century Code Section 54-44.1-11 for funds appropriated by the 2013 Legislative Assembly for grants to law enforcement agencies for the 2013-15 biennium.

Oil-impact county law enforcement grants - Section 6 provides that \$20 million in grants from the oil and gas impact grant fund is for law enforcement agencies in oil-impacted counties where crime-related activities have increased or in other counties if the crime-related activities in oil-impacted counties originated in any of those other counties. The Senate modified this section to identify \$24,487,085 of the law enforcement grants line item from the oil and gas impact grant fund of which \$4,487,085 is designated for 19.5 new FTE positions and operating expenses, \$20 million is to provide grants to law enforcement agencies in oil-impacted counties, of which the Attorney General may use up to 10 percent for administration of the grants.

Exemption - Law enforcement grants - Section 7 added by the Senate provides an exemption from Section 54-44.1-11 for funding appropriated in the law enforcement grants line item for the 2015-17 biennium.

Amendment - Lottery operating fund - Section 8 added by the Senate amends Section 53-12.1-09 increasing the continuing appropriation from \$50,000 to \$100,000 each quarter to be deposited in the compulsive gambling prevention and treatment fund. This change results in a \$400,000 reduction to 2015-17 biennium general fund revenues.

Criminal justice data information sharing system - Section 9 added by the Senate creates a new section to Chapter 54-12 to transfer the criminal justice data information sharing system from the Information Technology Department to the Attorney General's office.

Salary of Attorney General - Section 10 provides for the statutory changes necessary to increase the Attorney General's salary. **The Senate provided a 3 percent increase in compensation each year of the 2015-17 biennium. The Attorney General's annual salary will be \$152,436 effective July 1, 2015, and \$157,009 effective July 1, 2016.**

Annual salary authorized by the 2013 Legislative Assembly:

July 1, 2013	\$143,685
July 1, 2014	\$147,996

Proposed annual salary recommended in the 2015-17 executive budget (4 percent annual increase):

July 1, 2015	\$153,916
July 1, 2016	\$160,072

Amendment - Tobacco settlement trust fund - Section 11 added by the Senate amends Section 54-27-25 relating to the tobacco settlement trust fund to allow an appropriation to the Attorney General for the purpose of enforcing the Master Settlement Agreement and any disputes with the agreement.

Repeal - Section 12 added by the Senate repeals Section 54-59-21 relating to the criminal justice data information sharing system within 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.

Deficiency Appropriation

The executive budget recommendation includes a deficiency appropriation of \$50,000 from the general fund in Senate Bill No. 2023 for prosecution witness fees.

Significant Audit Findings

The operational audit for the Attorney General's office conducted by the State Auditor's office during the 2013-14 interim identified no significant audit findings.

Major Related Legislation

Senate Bill No. 2107 - Creates Chapter 12.1-41 relating to the Uniform Act on Prevention of and Remedies for Human Trafficking, provides a penalty, and authorizes the Attorney General to grant or contract with service providers to develop or expand service programs for victims of human trafficking.

Senate Bill No. 2199 - Provides an appropriation of \$1 million to the Attorney General from the general fund to implement a human trafficking victim's treatment and support services pilot project during the 2015-17 biennium.

Senate Bill No. 2202 - Provides a continuing appropriation and amends Section 53-06.1-12 reducing the gaming tax on gross proceeds exceeding \$25,000 from 1 percent to .75 percent, creates the gaming regulation and enforcement fund, and changes the deposit of gaming taxes, monetary fines, and related interest and penalties collected to the gaming regulation and enforcement fund, of which 13 percent of total taxes, less refunds shall be deposited into the gaming tax allocation fund, reducing general fund revenue.

Senate Bill No. 2219 - Authorizes the Attorney General to establish the human trafficking commission to develop and coordinate a plan to provide human trafficking victims support services, collect and evaluate data on human trafficking, promote public awareness about human trafficking, and coordinate training on human trafficking prevention and victim services.

Senate Bill No. 2314 - Amends Section 53-06.1-10.1 regarding raffles is amended to allow licensed organizations that support amateur collegiate athletics to conduct a fifty-fifty raffle.

House Bill No. 1003 - Provides an appropriation of \$1,604,500 to the Attorney General from the general fund to provide legal services for the State Board of Higher Education and institutions and entities under the control of the board. The Attorney General is authorized 6 FTE positions to provide legal services to the State Board of Higher Education and institutions and entities under the control of the board.

House Bill No. 1053 - Excludes the Attorney General from required use of centralized desktop support services.

Attorney General - Budget No. 125
Senate Bill No. 2003
Base Level Funding Changes

	Executive Budget Recommendation				Senate Version			
	FTE Positions	General Fund	Other Funds	Total	FTE Positions	General Fund	Other Funds	Total
2015-17 Biennium Base Level	212.50	\$37,275,528	\$35,382,450	\$72,657,978	212.50	\$37,275,528	\$35,382,450	\$72,657,978
2015-17 Ongoing Funding Changes								
Base payroll changes		\$251,098	\$17,347	\$268,445		\$251,098	\$17,347	\$268,445
Salary increase - Performance		1,978,003	119,327	2,097,330		1,580,965	89,515	1,670,480
Salary increase - Market equity		445,933	21,748	467,681				0
Salary increase - Targeted equity			322,814	322,814				0
Retirement contribution increase		203,391	11,837	215,228				0
Health insurance increase		979,282	56,995	1,036,277		979,282	56,995	1,036,277
Funding for oil impact law enforcement package								
Oil impact law enforcement grants			20,000,000	20,000,000			20,000,000	20,000,000
New FTE criminal investigators	5.00		1,388,830	1,388,830	5.00		1,388,830	1,388,830
New FTE intelligence analysts	3.00		437,049	437,049	3.00		480,946	480,946
New FTE BCI agent II	4.00		765,891	765,891	4.00	270,336	495,555	765,891
New FTE BCI agent I	1.00		145,683	145,683	1.00		189,580	189,580
New FTE Assistant Attorney General - Oil-impacted areas	1.00		302,136	302,136	1.00		302,136	302,136
New FTE Assistant Attorney General	1.00		198,619	198,619	1.00		198,619	198,619
New FTE administrative assistants	2.00		264,380	264,380	2.00		264,380	264,380
New FTE grants administrator	1.00		132,190	132,190	1.00		132,190	132,190
New FTE forensic scientist	1.00		165,554	165,554	1.00		165,554	165,554
New FTE attorney - Criminal/regulatory division	0.50		165,264	165,264	0.50		165,264	165,264
Funding for other operating expense in oil-impacted areas		270,336	490,712	761,048			673,254	673,254
Restore FTE programmer analyst	1.00	142,278	31,314	173,592	1.00	142,278	31,314	173,592
New FTE legal staff	2.00		307,379	307,379	2.00		307,379	307,379
New FTE gaming staff	1.00	82,907	60,923	143,830	1.00	82,907	60,923	143,830
New FTE concealed weapons license staff	2.00		261,766	261,766	2.00		261,766	261,766
Tobacco enforcement increase (tobacco settlement trust fund)			200,000	200,000			200,000	200,000
North Dakota Lottery changes			1,030,000	1,030,000			1,030,000	1,030,000
Information technology contractual service and repairs			800,000	800,000			800,000	800,000
BCI, State Crime Laboratory applications			1,604,000	1,604,000			1,604,000	1,604,000
Building feasibility study			30,000	30,000			30,000	30,000
Information technology software and supplies		262,332		262,332		262,332		262,332
Operating expenses increase		933,418	108,376	1,041,794		1,133,418	108,376	1,241,794
Other funds changes			(140,000)	(140,000)			(140,000)	(140,000)
Federal funds changes			(1,082,479)	(1,082,479)			(1,082,479)	(1,082,479)
Reduce State Crime Laboratory capital payments		(369)		(369)		(369)		(369)
Remove equipment			(163,198)	(163,198)			(163,198)	(163,198)
Remove completed information technology projects			(4,754,908)	(4,754,908)			(4,754,908)	(4,754,908)
Transfer criminal justice information sharing			0	0	6.00	3,270,219	886,000	4,156,219
Medicaid fraud unit			0	0	4.00	93,539	841,855	935,394
Increase federal funding for highway traffic safety equipment			0	0			300,000	300,000
Total ongoing funding changes	25.50	\$5,548,609	\$23,299,549	\$28,848,158	35.50	\$8,066,005	\$24,941,193	\$33,007,198

One-time funding items

Replace 10 undercover vehicles	0.00	\$220,000	\$0	\$220,000	\$220,000		\$220,000	
Three surveillance vehicles				0	100,000	200,000	300,000	
Transfer criminal justice information sharing projects				0	1,250,000		1,250,000	
Total one-time funding changes	0.00	\$220,000	\$0	\$220,000	0.00	\$1,570,000	\$200,000	\$1,770,000
Total Changes to Base Level Funding	25.50	\$5,768,609	\$23,299,549	\$29,068,158	35.50	\$9,636,005	\$25,141,193	\$34,777,198
2015-17 Total Funding	238.00	\$43,044,137	\$58,681,999	\$101,726,136	248.00	\$46,911,533	\$60,523,643	\$107,435,176

Other Sections in Senate Bill No. 2003

	Executive Budget Recommendation	Senate Version
Appropriation - 2013-15 biennium		Section 3 appropriates \$1 million from the general fund to the Attorney General for up to 10 FTE positions to assist with law enforcement activities in areas impacted by oil development for the period beginning with effective date of this Act and ending June 30, 2015.
Continuing appropriations	Section 3 allows the Attorney General to retain the balance in the Attorney General refund fund rather than transferring the balance to the general fund.	Section 4 allows the Attorney General to retain the balance in the Attorney General refund fund rather than transferring the balance to the general fund.
Exemption - Grants to law enforcement agencies		Section 5 provides an exemption from North Dakota Century Code Section 54-44.1-11 for funds appropriated by the 2013 Legislative Assembly for grants to law enforcement agencies for the 2013-15 biennium.
Oil-impacted county law enforcement grants	Section 4 provides that \$20 million in grants from the oil and gas impact grant fund is for law enforcement agencies in oil-impacted counties where crime-related activities have increased or in other counties if the crime-related activities in oil-impacted counties originated in any of those other counties.	Section 6 provides that \$24,487,085 from the oil and gas impact grant fund, of which \$4,487,085 relates to salaries and wages and equipment for the Attorney General for oil-impacted areas and \$20 million in grants, is for law enforcement agencies in oil-impacted counties where crime-related activities have increased or in other counties if the crime-related activities in oil-impacted counties originated in any of those other counties. The Attorney General may spend up to 10 percent of the funding provided under this section for defraying the expenses of additional staffing needs or other needs necessary to accomplish the role of the Attorney General's office as an assisting agency in ensuring public safety in the affected areas. The funding provided in this section is considered a one-time funding item. The Attorney General shall report to the budget section annually and to the appropriations committees of the 65 th Legislative Assembly on the use of this one-time funding, including the impact the grant funding has had on crime-related activities.
Exemption		Section 7 provides an exemption for the amount appropriated for law enforcement grants in the law enforcement grants line item in Section 1 of this Act is not subject to Section 54-44.1-11, and any unexpended funds from this line item may be continued into the 2017-19 biennium.

Executive Budget Recommendation

Senate Version

Amendment to Section 53-12.1-09

Section 8 amends the continuing appropriation from \$50,000 to \$100,000 each quarter to be deposited in the compulsive gambling prevention and treatment fund.

Criminal justice data information sharing system

Section 9 creates a new section to Chapter 54-12 which transfers the criminal justice data information sharing system into the Attorney General's office from the Information Technology Department.

Salary of Attorney General

Section 5 provides the statutory changes necessary to increase the Attorney General's salary from \$147,996 in state fiscal year 2015 to \$153,916 (4 percent) in state fiscal year 2016 and to \$160,072 (4 percent) in state fiscal year 2017.

Section 10 provides the statutory changes necessary to increase the Attorney General's salary from \$147,996 in state fiscal year 2015 to \$152,436 (3 percent) in state fiscal year 2016 and to \$157,009 (3 percent) in state fiscal year 2017.

Amendment to Section 54-27-25

Section 11 amends Section 54-27-25 relating to the tobacco settlement trust fund to allow an appropriation to the Attorney General for the purpose of enforcing the master settlement agreement and any disputes with the agreement.

Repeal

Section 12 repeals Section 54-59-21 relating to the criminal justice data information sharing system within the Information Technology Department.

Emergency

Section 7 declares Section 3 to be an emergency measure.

Section 13 declares Sections 3 and 4 to be an emergency measure.