

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1003

Page 1, line 1, after "general" insert "; to provide exemptions; and to provide a report to the office of management and budget and the legislative council"

Page 1, remove lines 10 through 24

Page 2, replace lines 1 and 2 with:

"Salaries and wages	\$40,503,865	(\$236,581)	\$40,267,284
Operating expenses	24,672,585	(8,527,581)	16,145,004
Capital assets	2,339,187	403,185	2,742,372
Grants	1,762,659	677,341	2,440,000
Litigation fees	50,000	100,000	150,000
Intellectual property attorney	418,323	8,808	427,131
Abortion litigation fees	400,000	(400,000)	0
Medical examinations	660,000	0	660,000
North Dakota lottery	5,282,778	55,989	5,338,767
Arrest and return of fugitives	10,000	0	10,000
Gaming commission	7,490	0	7,490
Criminal justice information sharing	4,151,701	(764,019)	3,387,682
Law enforcement	<u>3,455,725</u>	<u>(550,907)</u>	<u>2,904,818</u>
Total all funds	\$83,714,313	(\$9,233,765)	\$74,480,548
Less estimated income	<u>35,247,452</u>	<u>(4,766,904)</u>	<u>30,480,548</u>
Total general fund	\$48,466,861	(\$4,466,861)	\$44,000,000
Full-time equivalent positions	250.00	(19.00)	231.00

SECTION 2. HEALTH INSURANCE INCREASE. The appropriation in section 1 of this Act includes the sum of \$695,462, of which \$637,105 is from the general fund, for increases in employee health insurance premiums from \$1,130 to \$1,249 per month."

Page 2, after line 14, insert:

"SECTION 4. TOBACCO SETTLEMENT TRUST FUND - USE. The estimated income line item in section 1 of this Act includes \$200,000 from the tobacco settlement trust fund which the attorney general may use for the purpose of enforcing the master settlement agreement and any disputes with the agreement, during the biennium beginning July 1, 2017, and ending June 30, 2019.

SECTION 5. ADDITIONAL INCOME - APPROPRIATION - REPORT. In addition to the amounts appropriated to the attorney general in section 1 of this Act, there is appropriated from federal or other funds, the sum of \$250,000, or so much of the sum as may be necessary, to the attorney general for the purposes of defraying the expenses of the office, for the biennium beginning July 1, 2017, and ending June 30, 2019. The attorney general shall notify the office of management and budget and the legislative council of any funding made available pursuant to this section.

SECTION 6. EXEMPTION - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND. The amount appropriated to the attorney general from the strategic investment and improvements fund for awarding grants to law enforcement

agencies, for crime-related needs of the attorney general's office, and for development of a uniform law enforcement and custody manual, as contained in section 11 of chapter 471 of the 2013 Session Laws and as continued in section 5 of chapter 37 of the 2015 Session Laws, is not subject to the provisions of section 54-44.1-11. Any unexpended funds from this appropriation are available to the attorney general for crime-related needs of the attorney general's office, during the biennium beginning July 1, 2017, and ending June 30, 2019.

SECTION 7. EXEMPTION - ATTORNEY GENERAL REFUND FUND.

Notwithstanding section 54-12-18, the attorney general may retain the balance in the attorney general refund fund that would otherwise be transferred to the general fund on June 30, 2017."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1003 - Attorney General - House Action

	Base Budget	House Changes	House Version
Salaries and wages	\$40,503,865	(\$236,581)	\$40,267,284
Operating expenses	24,672,585	(8,527,581)	16,145,004
Capital assets	2,339,187	403,185	2,742,372
Grants	1,762,659	677,341	2,440,000
Litigation fees	50,000	100,000	150,000
Intellectual property attorney	418,323	8,808	427,131
Abortion litigation fees	400,000	(400,000)	
Medical examinations	660,000		660,000
North Dakota lottery	5,282,778	55,989	5,338,767
Arrest and return of fugitives	10,000		10,000
Gaming commission	7,490		7,490
Criminal justice information sharing	4,151,701	(764,019)	3,387,682
Law enforcement	3,455,725	(550,907)	2,904,818
Additional income appropriation		250,000	250,000
Total all funds	\$83,714,313	(\$8,983,765)	\$74,730,548
Less estimated income	35,247,452	(4,516,904)	30,730,548
General fund	\$48,466,861	(\$4,466,861)	\$44,000,000
FTE	250.00	(19.00)	231.00

Department No. 125 - Attorney General - Detail of House Changes

	Adjusts Funding for Base Payroll Changes ¹	Adds Funding for Health Insurance Increase ²	Removes 19 FTE Positions ³	Changes Funding Source for 8 FTE Positions ⁴	Underfunds Salaries and Wages ⁵	Removes Spending Authority for the 24/7 Sobriety Program ⁶
Salaries and wages	\$787,933	\$606,804	(\$702,021)		(\$929,297)	
Operating expenses						(6,375,572)
Capital assets						
Grants						
Litigation fees						
Intellectual property attorney	5,946	2,862				
Abortion litigation fees						
Medical examinations						
North Dakota lottery	28,801	27,188				
Arrest and return of fugitives						
Gaming commission						
Criminal justice information sharing	(117,882)	14,310	(180,224)			
Law enforcement	(120,713)	44,298	(264,982)			
Additional income appropriation						

Total all funds	\$584,085	\$695,462	(\$1,147,227)	\$0	(\$929,297)	(\$6,375,572)
Less estimated income	1,106,134	58,357	(60,722)	1,120,322	0	(6,375,572)
General fund	(\$522,049)	\$637,105	(\$1,086,505)	(\$1,120,322)	(\$929,297)	\$0
FTE	0.00	0.00	(19.00)	0.00	0.00	0.00
	Reduces Funding for Operating Expenses⁷	Reduces Funding for Criminal Justice Information Sharing⁸	Removes Funding for Abortion Litigation Fees⁹	Adjusts Base Level Funding¹⁰	Additional Income Appropriation¹¹	Total House Changes
Salaries and wages						(\$236,581)
Operating expenses	(1,787,768)			(364,241)		(8,527,581)
Capital assets				403,185		403,185
Grants				677,341		677,341
Litigation fees				100,000		100,000
Intellectual property attorney						8,808
Abortion litigation fees			(400,000)			(400,000)
Medical examinations						
North Dakota lottery						55,989
Arrest and return of fugitives						
Gaming commission						
Criminal justice information sharing		(480,223)				(764,019)
Law enforcement				(209,510)		(550,907)
Additional income appropriation					250,000	250,000
Total all funds	(\$1,787,768)	(\$480,223)	(\$400,000)	\$606,775	\$250,000	(\$8,983,765)
Less estimated income	(1,197,220)	(291,482)	0	873,279	250,000	(4,516,904)
General fund	(\$590,548)	(\$188,741)	(\$400,000)	(\$266,504)	\$0	(\$4,466,861)
FTE	0.00	0.00	0.00	0.00	0.00	(19.00)

¹ Funding is adjusted for cost-to-continue 2015-17 biennium salaries and benefit increases and for other base payroll changes.

² Funding is added for increases in health insurance premiums from \$1,130 to \$1,249 per month.

³ Total funding of \$1,147,227, of which \$952,505 is from the general fund is reduced relating to the removal of 16 FTE positions as recommended in Governor Dalrymple's executive budget (\$1,013,227) and the removal of an additional 3 FTE positions (\$134,000).

⁴ The funding source for 8 FTE positions has been changed from the general fund to federal and other funds, of which 2 FTE positions were included in Governor Dalrymple's executive budget recommendation (\$262,767) and 6 FTE positions are in addition to Governor Dalrymple's executive budget recommendation (\$857,555).

⁵ General fund salaries and wages are underfunded.

⁶ North Dakota Century Code Section 54-12-27 provides a continuing appropriation for revenues received into the Attorney General sobriety fund from fees charged to users of the program which was approved by the 2007 Legislative Assembly. Funding of \$6,375,572 in special funds authority is removed for the 24/7 sobriety program.

⁷ Funding is reduced for operating expenses.

⁸ Reduces funding for criminal justice information sharing to provide total funding of \$3,391,562.

⁹ Removes funding for abortion litigation fees.

¹⁰ Base level funding is adjusted as follows:

	General Fund	Other Funds	Total
Adjusts equipment funding	(\$194,388)	\$606,882	\$412,494
Reduces law enforcement funding	(219,348)		(219,348)
Increases federal funds spending authority		228,897	228,897
Adds IT disaster recovery system funding	46,703		46,703
Increases funding for litigation fees	100,000		100,000
Increases funding for Indian gaming audit		37,500	37,500
Increases funding for Crime Laboratory bond payment	529		529
Total	(\$266,504)	\$873,279	\$606,775

¹¹ A section is added to provide an appropriation of \$250,000 for any additional federal or other funds which may become available to the Attorney General for the purposes of the office during the 2017-19 biennium. The section requires the Attorney General to report to the Office of Management and Budget and the Legislative Council regarding any additional income made available. The Attorney General will need to seek Emergency Commission approval to receive and spend any additional income in excess of the \$250,000.

This amendment also:

- Adds a section to identify the funding increases for the health insurance premium increase.
- Adds a section to identify \$200,000 from the tobacco settlement trust fund for enforcing the master settlement agreement and any disputes with the agreement.
- Provides an exemption from Section 54-44.1-11 for funds appropriated to the Attorney General for grants to law enforcement agencies for the 2013-15 biennium to allow the funds to be continued into the 2017-19 biennium.
- Provides an exemption from Section 54-12-18, to allow the Attorney General to retain the balance in the Attorney General refund fund for the 2017-19 biennium.