

**Attorney General  
Budget No. 125  
House Bill Nos. 1003, 1302, 1358**

	<b>FTE Positions</b>	<b>General Fund</b>	<b>Other Funds</b>	<b>Total</b>
2013-15 executive budget (bills as introduced)	211.50	\$37,358,136	\$29,012,463	\$66,370,599
<b>2013-15 legislative appropriations</b>	<b>213.50</b>	<b>38,851,628</b>	<b>44,982,450</b>	<b>83,834,078</b>
Legislative increase (decrease) to executive budget	2.00	\$1,493,492	\$15,969,987	\$17,463,479
Legislative increase (decrease) to 2011-13 appropriations	9.50	\$7,239,383 <sup>1</sup>	\$17,555,273	\$24,794,656 <sup>1</sup>

<sup>1</sup>The amount shown reflects a \$70,000 general fund appropriation approved by the Legislative Assembly in 2013 for supplemental reimbursements to cities and counties for prosecution witness fees for the 2011-13 biennium.

**ONGOING AND ONE-TIME GENERAL FUND APPROPRIATIONS**

	<b>Ongoing General Fund Appropriation</b>	<b>One-Time General Fund Appropriation</b>	<b>Total General Fund Appropriation</b>
2011-13 legislative appropriations	\$31,299,845	\$312,400	\$31,612,245
<b>2013-15 legislative appropriations</b>	<b>37,453,628</b>	<b>1,398,000</b>	<b>38,851,628</b>
2013-15 legislative increase (decrease) to 2011-13 appropriations	\$6,153,783	\$1,085,600	\$7,239,383
Percentage increase (decrease) to 2011-13 appropriations	19.7%	347.5%	22.9%
2013-15 legislative increase (decrease) to executive budget	\$428,582	\$1,064,910	\$1,493,492
Percentage increase (decrease) to executive budget	1.2%	319.7%	4.0%

**SUMMARY OF LEGISLATIVE CHANGES TO THE EXECUTIVE BUDGET AND MAJOR FUNDING ITEMS**

**Salaries and Wages**

The legislative action affecting the recommended appropriation for the Attorney General is in accordance with legislative salary and fringe benefits guidelines as contained in House Bill No. 1015. Consistent with the guidelines, 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 accrued annual leave and sick leave for eligible employees.

	<b>Major Items FTE Positions</b>	<b>General Fund</b>	<b>Other Funds</b>	<b>Total</b>
The legislative action: Adjusted funding for state employee salaries and benefits consistent with the legislative compensation package guidelines included in House Bill No. 1015.		(\$382,450)	(\$82,924)	(\$465,374)

Removed funding for oil impact assistance for employees in areas impacted by oil development. Agencies may request funding from a funding pool appropriated to the Office of Management and Budget for oil impact assistance.		(135,090)		(135,090)
Added an FTE position to maintain the sexual offender registry.	1.00		116,413	116,413
Added funding for increased Workforce Safety and Insurance premiums.		79,568		79,568
Added funding for salary equity increases for forensic scientists.		171,000		171,000
Added funding for potential litigation fees relating to abortion-related legislation approved by the Legislative Assembly.		400,000		400,000
Added an FTE position and moved \$486,856 from the operating line item to the salaries and wages line item for computerized business projects. The FTE position is authorized for the 2013-15 biennium only.	1.00			0
Added funding for operating expenses for the following initiatives approved by the Legislative Assembly:		121,390	6,375,572	6,496,962
House Bill No. 1302 - Increases participation in 24/7 sobriety program - \$6,243,901.				
House Bill No. 1327 - Requires criminal history record checks for concealed weapons licenses - \$232,761.				
House Bill No. 1389 - Requires fingerprint record checks for appraisal management companies and employees - \$5,800.				
Senate Bill No. 2304 - Requires fingerprint record checks for insurance producers - \$14,500.				
Added funding for secure continuous remote alcohol monitors (House Bill No. 1302).		1,200,000		1,200,000
Added funding from the strategic investment and improvements fund for law enforcement needs in oil-impacted areas (House Bill No. 1358).			9,600,000	9,600,000
The funding source for a .5 FTE administrative assistant position was changed from other funds to the general fund.		39,074	(39,074)	0
<b>Total</b>	<u>2.00</u>	<u>\$1,493,492</u>	<u>\$15,969,987</u>	<u>\$17,463,479</u>

**FTE Changes**

The 2013-15 biennium appropriation includes funding for 213.5 FTE positions, an increase of 2 FTE positions from the executive recommendation and an increase of 9.5 FTE positions from the 2011-13 biennium authorized level of 204 FTE positions. The following table summarizes FTE position changes included in the 2013-15 executive budget and the legislative appropriation:

Position	Executive Budget FTE Changes	Legislative FTE Changes	Legislative Increase (Decrease) From Executive Budget
Criminal investigators to address law enforcement needs in western North Dakota	2.00	2.00	0.00
Administrative assistant to address law enforcement needs in western North Dakota	1.00	1.00	0.00
Forensic scientist to address use of synthetic drugs in the state	1.00	1.00	0.00
Administrative assistant for uniform crime reporting system	1.00	1.00	0.00
Attorney for work related to the Department of Trust Lands	1.00	1.00	0.00
Investigator for organized crime	1.00	1.00	0.00
FTE positions previously paid by federal fiscal stimulus funds	7.00	7.00	0.00
Administrative assistants for processing concealed weapons permits in association with the National Instant Check System (NICS)	2.00	2.00	0.00
7 FTE positions previously paid by federal fiscal stimulus funds and 1.5 FTE positions previously paid with federal funds related to NICS	(8.50)	(8.50)	0.00
Sexual offender registry	0.00	1.00	1.00
Computerized business projects (for 2013-15 biennium only)	0.00	1.00	1.00
<b>Total</b>	<b>7.50</b>	<b>9.50</b>	<b>2.00</b>

#### One-Time Funding

In Section 2 of House Bill No. 1003, the Legislative Assembly identified \$198,000 of one-time funding from the general fund for Bureau of Criminal Investigation vehicles, and in House Bill No. 1302, \$1,200,000 was provided from the general fund for secure continuous remote alcohol monitors, for the 2013-15 biennium. These amounts are not to be considered part of the agency's base budget for preparing the 2015-17 executive budget, and the Attorney General is to report to the Appropriations Committees during the 2015 legislative session on the use of this funding.

#### 24/7 Sobriety Program

The Legislative Assembly in 2007 authorized the Attorney General to establish a sobriety program pilot project during the 2007-09 biennium. The pilot program began on January 1, 2008. The Attorney General established a 24/7 sobriety pilot program in 12 counties in the South Central Judicial District. The Legislative Assembly in 2009 House Bill No. 1306 authorized the Attorney General to establish a statewide 24/7 sobriety program, established guidelines and program fees, and created and provided a continuing appropriation to the Attorney General from the 24/7 sobriety program fund. The goal of the program is to remove intoxicated drivers from the road and improve their ability to succeed in treatment. From January 1, 2008, through May 7, 2013, the program included 4,857 participants, of which 3,348 graduated from the program, 800 failed the program, 268 reoffended, and 441 were still active in the program.

#### Other Sections in House Bill No. 1003

**Refund fund** - Section 3 allows the Attorney General to retain the June 30, 2013, balance in the Attorney General refund fund rather than transferring the balance to the general fund.

**Attorney General's salary** - Section 4 provides the statutory changes increasing the Attorney General's salary by 4 percent for the first year of the biennium and 3 percent for the second year. The Attorney General's annual salary is increased from the current level of \$138,159 to \$143,685 effective July 1, 2013, and to \$147,996 effective July 1, 2014.

**FTE position - Limited authorization** - Section 5 provides that 1 FTE position relating to computerized business projects is authorized for the 2013-15 biennium only. The Attorney General must reevaluate the position and determine if the position will be requested as part of the agency's 2015-17 biennium request as an optional item.

#### Related Legislation

**Senate Bill No. 2056** provides 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.