

**Department 125 - Attorney General
House Bill Nos. 1003 and 1063**

Executive Budget Comparison to Prior Biennium Appropriations

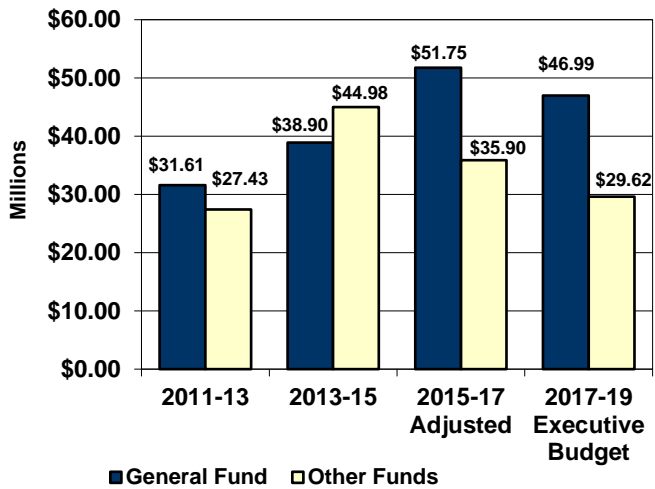
	FTE Positions	General Fund	Other Funds	Total
2017-19 Executive Budget	234.00	\$46,993,970	\$29,617,737	\$76,611,707
2015-17 Adjusted Legislative Appropriations ¹	250.00	51,749,685	35,900,785	87,650,470
Increase (Decrease)	(16.00)	(\$4,755,715)	(\$6,283,048)	(\$11,038,763)

¹The 2015-17 biennium agency appropriation amounts reflect general fund budget reductions made in August 2016.

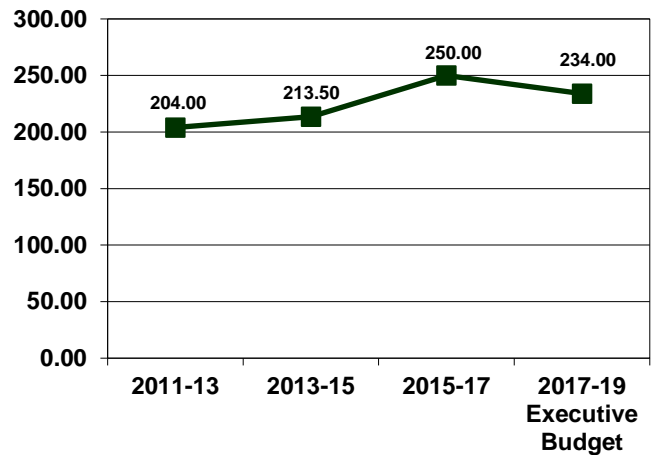
Ongoing and One-Time General Fund Appropriations

	Ongoing General Fund Appropriation	One-Time General Fund Appropriation	Total General Fund Appropriation
2017-19 Executive Budget	\$46,993,970	\$0	\$46,993,970
2015-17 Adjusted Legislative Appropriations	48,466,861	3,282,824	51,749,685
Increase (Decrease)	(\$1,472,891)	(\$3,282,824)	(\$4,755,715)

Agency Funding



FTE Positions



Executive Budget Comparison to Base Level

	General Fund	Other Funds	Total
2017-19 Executive Budget	\$46,993,970	\$29,617,737	\$76,611,707
2017-19 Base Level	48,466,861	35,247,452	83,714,313
Increase (Decrease)	(\$1,472,891)	(\$5,629,715)	(\$7,102,606)

Attached as an appendix is a detailed comparison of the executive budget to the agency's base level appropriations.

Executive Budget Highlights

	General Fund	Other Funds	Total
1. Adds funding for state employee salary and benefit increases, of which \$198,047 is for salary increases and \$695,462 is for health insurance increases	\$818,534	\$74,975	\$893,509
2. Removes 16 FTE positions	(\$952,505)	(\$60,722)	(\$1,013,227)
3. Changes funding source for 2 FTE positions to federal funds	(\$262,767)	\$262,767	\$0
4. Removes funding for the 24/7 sobriety program (The Attorney General has a continuing appropriation from the revenues used to fund the 24/7 sobriety program)	\$0	(\$6,375,572)	(\$6,375,572)
5. Adjusts funding for operating expenses	\$201,141	(\$1,219,094)	(\$1,017,953)
6. Reduces funding for criminal justice information sharing to provide total funding of \$3,391,562	(\$188,741)	(\$291,482)	(\$480,223)

7. Reduces funding for law enforcement	(\$219,348)	\$0	(\$219,348)
8. Increases federal funds spending authority	\$0	\$228,897	\$228,897
9. Adds funding for information technology disaster recovery system	\$46,703	\$0	\$46,703
10. Removes funding for abortion litigation fees of \$400,000 (\$100,000 transferred to operating expenses and \$100,000 transferred to litigation fees)	(\$200,000)	\$0	(\$200,000)
11. Increases funding for Indian gaming audit expenses	\$0	\$37,500	\$37,500
12. Adds funding for equipment	(\$194,388)	\$606,882	\$412,494
13. Increases funding for the State Crime Laboratory building bond payments	\$529	\$0	\$529

Other Sections in Bill

Tobacco settlement trust fund - Section 3 identifies \$200,000 from the tobacco settlement trust fund for the Attorney General for the purpose of enforcing the Master Settlement Agreement and any disputes with the agreement.

Exemption - Strategic investment and improvements fund - Section 4 provides an exemption for funding appropriated from the strategic investment and improvements fund by the 2013-15 Legislative Assembly to the Attorney General for the use of crime-related needs of the Attorney General's office for the 2017-19 biennium.

Continuing appropriations - Section 5 provides the Attorney General may retain the balance in the Attorney General refund fund on June 30, 2017, rather than transferring the balance to the general fund.

Salary of Attorney General - Section 6 provides for the statutory changes to increase the Attorney General's salary by 1 percent in the second year as follows:

	Current Level	July 1, 2017	July 1, 2018
Attorney General's annual salary	\$157,009	\$157,009	\$158,579

Continuing Appropriations

Assets forfeiture fund - North Dakota Century Code 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.

24/7 sobriety program fund - Section 54-12-29 - To pay costs of administering and operating the 24/7 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 2015-16 interim identified no significant audit findings.

Major Related Legislation

Senate Bill No. 2054 - Creates a new section to Chapter 54-12 which authorizes law enforcement officers employed in the state licensed under Chapter 12-63 to waive resident tuition and fees on any institution of higher education under the control of the State Board of Higher Education for up to 5 years if the law enforcement officer meets specific requirements. The section directs the Attorney General to adopt rules necessary to implement the new section.

Attorney General - Budget No. 125
House Bill Nos. 1003 and 1063
Base Level Funding Changes

	Executive Budget Recommendation			
	FTE			
	Positions	General Fund	Other Funds	
			Total	
2017-19 Biennium Base Level	250.00	\$48,466,861	\$35,247,452	\$83,714,313
2017-19 Ongoing Funding Changes				
Base payroll changes		(\$522,049)	\$1,106,134	\$584,085
Salary increase		181,429	16,618	198,047
Health insurance increase		637,105	58,357	695,462
Removes 16 FTE positions	(16.00)	(952,505)	(60,722)	(1,013,227)
Changes funding source for 2 FTE positions		(262,767)	262,767	0
Removes funding for 24/7 sobriety program			(6,375,572)	(6,375,572)
Adjusts funding for operating expenses		301,141	(1,219,094)	(917,953)
Reduces funding for criminal justice information sharing		(188,741)	(291,482)	(480,223)
Reduces funding for law enforcement		(219,348)		(219,348)
Increases federal funds spending authority			228,897	228,897
Adds funding for IT disaster recovery system		46,703		46,703
Removes funding for abortion litigation fees		(400,000)		(400,000)
Increases funding for litigation fees		100,000		100,000
Increases funding for Indian gaming audit expenses			37,500	37,500
Adds funding for equipment		(194,388)	606,882	412,494
Increases funding for the State Crime Lab bond payments		529		529
Total ongoing funding changes	(16.00)	(\$1,472,891)	(\$5,629,715)	(\$7,102,606)
One-time funding items				
No one-time funding				0
Total one-time funding changes	0.00	\$0	\$0	\$0
Total Changes to Base Level Funding	(16.00)	(\$1,472,891)	(\$5,629,715)	(\$7,102,606)
2017-19 Total Funding	234.00	\$46,993,970	\$29,617,737	\$76,611,707

Other Sections in Attorney General - Budget No. 125

	Executive Budget Recommendation
Tobacco settlement trust fund	Section 3 identifies \$200,000 from the tobacco settlement trust fund for the Attorney General for the purpose of enforcing the Master Settlement Agreement and any disputes with the agreement.
Exemption - Strategic investment and improvements fund	Section 4 provides an exemption for funding appropriated from the strategic investment and improvements fund by the 2013-15 Legislative Assembly to the Attorney General for the use of crime-related needs of the Attorney General's office for the 2017-19 biennium.
Continuing appropriations	Section 5 provides the Attorney General may retain the balance in the Attorney General refund fund on June 30, 2017, rather than transferring the balance to the general fund.
Salary of Attorney General	Section 6 provides for the statutory changes to increase the Attorney General's salary by 1 percent in the second year.

Department 125 - Attorney General

Reductions to 2015-17 Biennium General Fund Appropriations
(As a result of the August 2016 General Fund Budget Reductions)

	Ongoing	One-Time	Total
2015-17 original general fund appropriations	\$51,701,902	\$3,674,968	\$55,376,870
General fund reductions	(3,235,041)	(392,144)	(3,627,185)
Adjusted 2015-17 appropriations	\$48,466,861	\$3,282,824	\$51,749,685
Executive Budget changes	(1,472,891)	(3,282,824)	(4,755,715)
2017-19 Executive Budget	\$46,993,970	\$0	\$46,993,970

Summary of August 2016 General Fund Budget Reductions

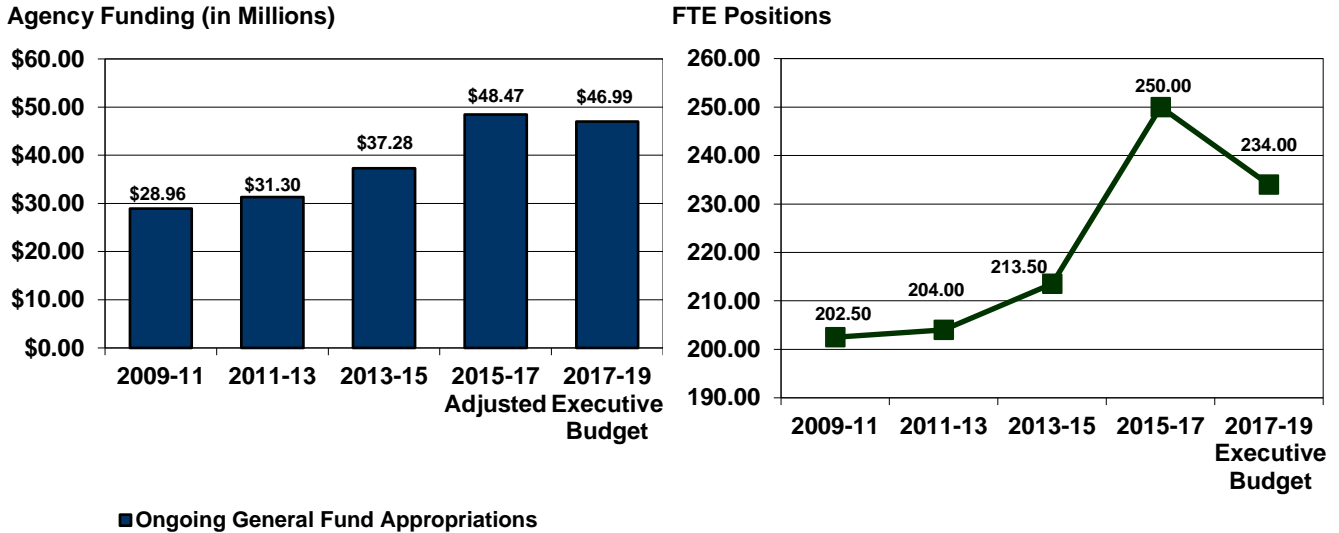
	Ongoing	One-Time	Total
Reduced funding for salaries and wages	(\$1,465,975)	\$0	(\$1,465,975)
Reduced funding for operating expenses	(1,318,734)	0	(1,318,734)
Reduced funding for criminal justice information sharing	0	(\$292,144)	(292,144)
Reduced funding for law enforcement	(431,661)	0	(431,661)
Reduced funding for intellectual property attorney	(18,671)	0	(18,671)
Reduced funding for contracted higher education legal services	0	(100,000)	(100,000)
Total reductions	(\$3,235,041)	(\$392,144)	(\$3,627,185)
Percentage reduction to ongoing and one-time general fund appropriations	6.26%	10.67%	6.55%

2017-19 Executive Budget Changes to the Original and Adjusted Base Budgets

	Changes to Original Budget	Budget Reduction Adjustments	Changes to Adjusted Budget
Adds funding for recommended salary and benefit increases	\$818,534	\$0	\$818,534
Reduces funding for salaries and wages	(522,049)	0	(522,049)
Removes 16 FTE positions	(2,418,480)	1,465,975	(952,505)
Changes funding source for 2 FTE positions	(262,767)	0	(262,767)
Adjusts funding for operating expenses	(1,117,593)	1,318,734	201,141
Reduces funding for criminal justice information sharing	(188,741)	0	(188,741)
Reduces funding for law enforcement	(651,009)	431,661	(219,348)
Adds funding for information technology disaster recovery system	46,703	0	46,703
Removes funding for abortion litigation fees	(400,000)	0	(400,000)
Adds funding for litigation fees	100,000	0	100,000
Adds funding for operating expenses	100,000	0	100,000
Reduces funding for equipment	(194,388)	0	(194,388)
Increases funding for the State Crime Laboratory building bond payments	529	0	529
Reduces funding for the intellectual property attorney	(18,671)	18,671	0
Total	(\$4,707,932)	\$3,235,041	(\$1,472,891)

Department 125 - Attorney General

Ongoing General Fund Appropriations Since 2009-11



Ongoing General Fund Appropriations					
	2009-11	2011-13	2013-15	2015-17 Adjusted	2017-19 Executive Budget
Ongoing general fund appropriations	\$28,960,432	\$31,229,845	\$37,275,528	\$48,466,861	\$46,993,970
Increase (decrease) from previous biennium	N/A	\$2,269,413	\$6,045,683	\$11,191,333	(\$1,472,891)
Percentage increase (decrease) from previous biennium	N/A	7.8%	19.4%	30.0%	(3.0%)
Cumulative percentage increase (decrease) from 2009-11 biennium	N/A	7.8%	28.7%	67.4%	62.3%

Major Increases (Decreases) in Ongoing General Fund Appropriations

2011-13 Biennium

- 1. Added funding for position reclassifications and salary equity adjustments for identification technicians \$190,501

2013-15 Biennium

- 1. Added funding for salary equity increases for forensic scientists \$171,000
- 2. Changed funding source from federal fiscal stimulus funds to general funds for 7 FTE positions \$1,037,590
- 3. Added funding for 1 synthetic drugs forensic scientist FTE position \$146,039
- 4. Added funding for potential litigation fees relating to abortion-related legislation approved by the Legislative Assembly \$400,000
- 5. Added funding for operating expenses for the 24/7 sobriety program, criminal history record checks for concealed weapons licenses, fingerprint record checks for appraisal management companies and employees, and fingerprint record checks for insurance producers \$121,390

2015-17 Biennium (Original Amounts)

- 1. Added law enforcement-related funding for 8 criminal investigator FTE positions, 3 intelligence analyst FTE positions, 2 assistant Attorney General FTE positions, 1 administrative FTE position, 1 grants administrator FTE position, 1 forensic scientist FTE position, and 0.5 attorney FTE position \$3,724,698
- 2. Added 2 criminal history identification technician FTE positions \$310,536
- 3. Added 1 gaming auditor FTE position \$82,907
- 4. Added funding for transfer of the criminal justice information sharing system, including 3 FTE positions transferred and 1 new business analyst FTE position and related operating expenses \$3,270,219

5. Restored 1 programmer analyst FTE position identified as one-time funding for the 2013-15 biennium	\$142,278
6. Added funding and 9 FTE positions for providing legal services to the North Dakota University System	\$3,079,724

2017-19 Biennium (Executive Budget Recommendation)

1. Removes 16 FTE positions	(\$952,505)
2. Changes the funding source for 2 FTE positions	(\$262,767)
3. Adjusts funding for operating expenses	\$201,141
4. Reduces funding for criminal justice information sharing	(\$188,741)
5. Reduces funding for law enforcement	(\$219,348)
6. Adds funding for information technology disaster recovery system	\$46,703
7. Removes funding for abortion litigation fees	(\$400,000)
8. Adds funding for litigation fees	\$100,000
9. Adds funding for operating expenses	\$100,000
10. Reduces funding for equipment	(\$194,388)