

**Attorney General
Budget 125
Senate Bill Nos. 2003, 2103, 2161; House Bill No. 1014**

	FTE Positions	General Fund	Other Funds	Total
2007-09 legislative appropriation	188.50	\$24,626,296 ¹	\$20,926,170	\$45,552,466
2005-07 legislative appropriation	<u>185.30</u>	<u>19,379,326²</u>	<u>24,488,401</u>	<u>43,867,727</u>
2007-09 appropriation increase (decrease) to 2005-07 appropriation	3.20	\$5,246,970	(\$3,562,231)	\$1,684,739

¹This amount includes \$1,442,840 of one-time funding. Excluding this amount, the agency's ongoing general fund appropriation is \$23,183,456.

²The 2005-07 biennium appropriation reflects \$167,170 of general fund deficiency appropriations approved by the 2007 Legislative Assembly in Senate Bill No. 2023.

NOTE: The 2007-09 legislative appropriation amounts include \$218,464, of which \$194,215 is from the general fund, for the agency's share of the \$10 million funding pool appropriated to the Office of Management and Budget for special market equity adjustments for classified employees.

Item Description

Crime Laboratory building - One-time funding - The Legislative Assembly provided a total of \$4,923,562 for constructing a new Crime Laboratory building on state land located near the current Crime Laboratory location. Of the \$4,923,562, \$3,280,722 is from bond proceeds remaining from the 2005-07 biennium bond issue which the Attorney General did not use to construct an addition to the current Crime Laboratory. Section 16 of Senate Bill No. 2003 authorizes the Attorney General to continue to spend these funds. The executive budget recommended an additional \$1,242,840 from the general fund for this building and the Legislative Assembly added an additional \$400,000, of which \$200,000 is from the general fund, to this amount for the project. In Section 8 of Senate Bill No. 2003, the Legislative Assembly identified \$1,442,840 from the general fund for construction of the new Crime Laboratory as a one-time funding item. This amount is not to be considered part of the agency's base budget for preparing the 2009-11 executive budget, and the Attorney General is to report to the Appropriations Committees during the 2009 legislative session on the use of this funding.

Sobriety program pilot project - Section 11 of Senate Bill No. 2003 authorizes the Attorney General to establish a sobriety program pilot project during the 2007-09 biennium.

Forensic medical examinations - In Senate Bill No. 2103 the Legislative Assembly provided \$500,000 from the insurance regulatory trust fund to the Attorney General's office for reimbursing health care providers for the cost of performing forensic medical examinations on victims of criminal sexual conduct.

Status/Result

As of March 19, 2008, the Attorney General's office has spent \$1.26 million of the \$4.9 million appropriation and anticipates the project to be completed in October 2008 at a cost of \$4.9 million.

The Attorney General's office implemented the sobriety program pilot project, also known as 24/7 for 24 hours 7 days a week sobriety monitoring, on January 1, 2008. Twelve counties in the South Central Judicial District are participating in the program. Since January 1, 2008, 30 people have participated in the program. The agency has received \$274 in revenues and spent \$3,655 of other funds for the program through April 8, 2008.

Through February 29, 2008, the Attorney General's office has spent \$3,000 for reimbursing health care providers for the cost of performing forensic medical examinations on victims of criminal sexual conduct.

Multijurisdictional task force grant fund - House Bill No. 1330 created a multijurisdictional task force grant fund within the Attorney General's office from lottery revenue and provides a continuing appropriation to the Attorney General from money in the fund to be used for drug task forces throughout the state. The bill transfers \$105,625 per quarter from lottery revenues to this special fund. A provision was included in the bill that if additional federal funds become available for these drug task forces, the Attorney General may not spend the money in the multijurisdictional task force grant fund to the extent that federal funds are available for this purpose for the 2007-09 biennium.

Sexual offender kiosks - The Legislative Assembly appropriated \$1,046,080 of federal funds to the Attorney General's office, if available, in Senate Bill No. 2161 for 10 computerized sexual offender registration sites.

Background checks - The Legislative Assembly provided the Attorney General's office with 5 new FTE positions and funding of \$1,228,556, of which \$477,756 is from the general fund and \$750,800 is from other funds, for additional background checks as a result of the provisions of Senate Bill No. 2260.

Computerized forensic investigations - The Legislative Assembly provided 1 FTE criminal investigator position for conducting criminal investigation computerized forensic investigations and examinations.

Emergency Commission requests.

Deficiency appropriations.

Salary equity adjustments - The Legislative Assembly provided funding of \$883,000, of which \$872,079 is from the general fund, for salary equity adjustments.

The Attorney General's office has awarded task force grants to 10 task forces throughout the state. The agency anticipates \$300,000 will be provided to the task forces in calendar year 2008. Each task force must provide matching funds of 35 percent of the grant award.

The Attorney General's office has not become aware of any federal funds available for computerized sexual offender registration sites.

The Attorney General's office has filled 2 of the 5 new FTE positions. State record checks have increased by 54 percent and federal background checks have increased 102 percent from the previous year.

An investigator has been hired and is located in Fargo.

The Attorney General's office has received Emergency Commission approval of the following requests:

- Approval to increase federal funds spending authority by \$200,000 for salaries and wages (\$49,500), operating expenses (\$8,102), and capital assets (\$142,398). The federal funds are received through the Department of Transportation from the federal National Highway Traffic Safety Administration for alcohol countermeasure programs.
- Approval to receive \$25,000 from the state contingencies fund appropriation for the operating line item (\$25,000) to reimburse city and county governments for prosecution witness fees and expenses.

The Attorney General's office anticipates requesting a deficiency appropriation of approximately \$72,000 for reimbursement of prosecution witness fees (\$50,000) and litigation fees (\$22,000).

The table below provides information relating to the salary equity adjustments provided to employees of the Attorney General's office beginning July 1, 2007:

	Amount	Number of Employees
Legal secretaries	\$20,540	3
Information technology staff	69,728	8
Legal staff	248,277	25
Bureau of Criminal Investigation agents	384,455	35
Crime Laboratory forensic scientists	160,000	13
Total	\$883,000	84