

**STATEMENT OF PURPOSE OF AMENDMENT:****House Bill No. 1003 - Funding Summary**

	<b>Executive Budget</b>	<b>Final Legislative Action</b>	<b>Comparison To Executive Budget</b>
Attorney General			
Salaries and wages	\$27,668,657	\$25,779,037	(\$1,889,620)
Operating expenses	14,204,579	14,109,805	(94,774)
Capital assets	2,391,187	2,391,187	
Grants	3,559,225	3,452,225	(107,000)
Litigation fees	50,000	50,000	
Medical examinations	250,000	250,000	
North Dakota Lottery	3,584,388	3,584,388	
Arrest and return of fugitives	10,000	10,000	
Gaming Commission	6,141	6,141	
Federal fiscal stimulus funds		2,259,188	2,259,188
Total all funds	\$51,724,177	\$51,891,971	\$167,794
Less estimated income	21,908,977	24,328,341	2,419,364
General fund	\$29,815,200	\$27,563,630	(\$2,251,570)
FTE	198.50	200.50	2.00
Bill Total			
Total all funds	\$51,724,177	\$51,891,971	\$167,794
Less estimated income	21,908,977	24,328,341	2,419,364
General fund	\$29,815,200	\$27,563,630	(\$2,251,570)
FTE	198.50	200.50	2.00

**House Bill No. 1003 - Attorney General - House Action**

	<b>Executive Budget</b>	<b>House Changes</b>	<b>House Version</b>
Salaries and wages	\$27,668,657	(\$2,844,372)	\$24,824,285
Operating expenses	14,204,579	(778,074)	13,426,505
Capital assets	2,391,187		2,391,187
Grants	3,559,225		3,559,225
Litigation fees	50,000		50,000
Medical examinations	250,000		250,000
North Dakota Lottery	3,584,388		3,584,388
Arrest and return of fugitives	10,000		10,000
Gaming Commission	6,141		6,141
Total all funds	\$51,724,177	(\$3,622,446)	\$48,101,731
Less estimated income	21,908,977	1,633	21,910,610
General fund	\$29,815,200	(\$3,624,079)	\$26,191,121
FTE	198.50	(7.50)	191.00

**Department 125 - Attorney General - Detail of House Changes**

	<b>Changes Funding Source<sup>1</sup></b>	<b>Removes Background Check Positions<sup>2</sup></b>	<b>Removes Civil Commitment Position<sup>3</sup></b>	<b>Removes Forensic Scientist Position<sup>4</sup></b>	<b>Reduces Operating Expenses<sup>5</sup></b>	<b>Removes Salary Equity Funding<sup>6</sup></b>
Salaries and wages		(399,112)	(156,387)	(119,919)		(1,369,859)
Operating expenses		(507,369)	(75,000)	(63,705)	(132,000)	
Capital assets						
Grants						
Litigation fees						
Medical examinations						
North Dakota Lottery						
Arrest and return of fugitives						
Gaming Commission						
Total all funds	\$0	(\$906,481)	(\$231,387)	(\$183,624)	(\$132,000)	(\$1,369,859)
Less estimated income	375,000	0	0	(42,680)	0	(144,416)
General fund	(\$375,000)	(\$906,481)	(\$231,387)	(\$140,944)	(\$132,000)	(\$1,225,443)
FTE	0.00	(5.50)	(1.00)	(1.00)	0.00	0.00

	<b>Reduces Funding for Anticipated Salary Savings<sup>7</sup></b>	<b>Total House Changes</b>
Salaries and wages	(799,095)	(2,844,372)
Operating expenses		(778,074)
Capital assets		
Grants		
Litigation fees		
Medical examinations		
North Dakota Lottery		
Arrest and return of fugitives		
Gaming Commission		
Total all funds	(\$799,095)	(\$3,622,446)
Less estimated income	(186,271)	1,633
General fund	(\$612,824)	(\$3,624,079)
FTE	0.00	(7.50)

<sup>1</sup> Funding from federal funds is increased and general fund support for agency operations is reduced.

<sup>2</sup> This amendment removes 5.5 FTE child care background check positions and related operating expenses added in the executive recommendation.

<sup>3</sup> This amendment removes 1 FTE civil commitment position and related operating expenses added in the executive recommendation.

<sup>4</sup> This amendment removes 1 FTE forensic scientist position and related operating expenses added in the executive recommendation.

<sup>5</sup> Operating expenses funding is reduced by \$132,000 from the general fund.

<sup>6</sup> This amendment removes funding added in the executive budget for state employee salary equity adjustments.

<sup>7</sup> This amendment reduces salaries and wages funding to recognize anticipated savings from vacant positions and employee turnover.

This amendment adds a section providing for an interim Legislative Council study relating to the appropriateness of penalties for felonies.

A section is added to amend North Dakota Century Code Section 31-13-03 to change the level of offenses for which DNA testing is required.

## House Bill No. 1003 - Attorney General - Senate Action

	Executive Budget	House Version	Senate Changes	Senate Version
Salaries and wages	\$27,668,657	\$24,824,285	\$2,710,736	\$27,535,021
Operating expenses	14,204,579	13,426,505	972,440	14,398,945
Capital assets	2,391,187	2,391,187		2,391,187
Grants	3,559,225	3,559,225	(178,000)	3,381,225
Litigation fees	50,000	50,000		50,000
Medical examinations	250,000	250,000		250,000
North Dakota Lottery	3,584,388	3,584,388		3,584,388
Arrest and return of fugitives	10,000	10,000		10,000
Gaming Commission	6,141	6,141		6,141
Federal fiscal stimulus funds			3,123,884	3,123,884
Total all funds	\$51,724,177	\$48,101,731	\$6,629,060	\$54,730,791
Less estimated income	21,908,977	21,910,610	3,006,216	24,916,826
General fund	\$29,815,200	\$26,191,121	\$3,622,844	\$29,813,965
FTE	198.50	191.00	16.50	207.50

## Department 125 - Attorney General - Detail of Senate Changes

	Restores Salary Equity Funding <sup>1</sup>	Restores Funding for Salaries <sup>2</sup>	Restores FTE Forensic Scientist <sup>3</sup>	Restores FTE Legal Staff <sup>4</sup>	Adds Evidence Technician <sup>5</sup>	Adds FTE Forensic Scientist <sup>6</sup>
Salaries and wages	1,369,859	799,095	119,919	156,387	81,053	119,919
Operating expenses			63,705	75,000	63,706	70,433
Capital assets						
Grants						
Litigation fees						
Medical examinations						
North Dakota Lottery						
Arrest and return of fugitives						
Gaming Commission						
Federal fiscal stimulus funds						
Total all funds	\$1,369,859	\$799,095	\$183,624	\$231,387	\$144,759	\$190,352
Less estimated income	144,416	186,271	42,680	0	0	0
General fund	\$1,225,443	\$612,824	\$140,944	\$231,387	\$144,759	\$190,352
FTE	0.00	0.00	1.00	1.00	1.00	1.00
	Adds Funding for Sobriety Program <sup>7</sup>	Reduces Funding for Grants <sup>8</sup>	Increases Funding for Operating Expenses <sup>9</sup>	Adds FTE Concealed Weapons Permit Administrator <sup>10</sup>	Adds Funding for Cigarette Testing <sup>11</sup>	Reduces Funding for Travel <sup>12</sup>
Salaries and wages				64,504		
Operating expenses	229,826		472,309	117,461	80,000	(200,000)
Capital assets						
Grants		(178,000)				
Litigation fees						
Medical examinations						
North Dakota Lottery						
Arrest and return of fugitives						
Gaming Commission						
Federal fiscal stimulus funds						
Total all funds	\$229,826	(\$178,000)	\$472,309	\$181,965	\$80,000	(\$200,000)
Less estimated income	0	(178,000)	(375,000)	181,965	80,000	(200,000)
General fund	\$229,826	\$0	\$847,309	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.50	0.00	0.00

	<b>Appropriates Federal Fiscal Stimulus Funds<sup>13</sup></b>	<b>Total Senate Changes</b>
Salaries and wages		2,710,736
Operating expenses		972,440
Capital assets		
Grants		(178,000)
Litigation fees		
Medical examinations		
North Dakota Lottery		
Arrest and return of fugitives		
Gaming Commission		
Federal fiscal stimulus funds	3,123,884	3,123,884
<b>Total all funds</b>	<b>\$3,123,884</b>	<b>\$6,629,060</b>
Less estimated income	3,123,884	3,006,216
General fund	\$0	\$3,622,844
<b>FTE</b>	<b>12.00</b>	<b>16.50</b>

<sup>1</sup> This amendment restores salary equity funding removed by the House.

<sup>2</sup> This amendment restores salaries and wages funding relating to anticipated savings from vacant positions and employee turnover removed by the House.

<sup>3</sup> This amendment restores 1 new FTE forensic scientist position removed by the House.

<sup>4</sup> This amendment restores 1 new FTE legal staff position to assist with civil commitments.

<sup>5</sup> One FTE evidence technician is added to assist with DNA evidence collections.

<sup>6</sup> One FTE forensic scientist position is added to assist with blood, breath, and urine alcohol tests and missing persons investigations.

<sup>7</sup> Funding for the 24/7 sobriety program is added.

<sup>8</sup> This amendment reduces funding for grants due to a reduction in pull tab excise taxes in accordance with provisions of 2009 House Bill No. 1317.

<sup>9</sup> This amendment restores funding for operating expenses removed in the executive recommendation (\$168,287), restores funding removed by the House (\$204,298), and adds funding for Crime Laboratory service contracts (\$99,722). The amendment also restores the general fund support for operating expenses included in the executive recommendation (\$375,000). The House increased funding support from federal funds and decreased funding support from the general fund by \$375,000.

<sup>10</sup> This amendment adds a .5 FTE position for a concealed weapons permit administrator.

<sup>11</sup> This amendment adds operating funds for the State Fire Marshal to conduct testing related to reduced ignition propensity standards for cigarettes.

<sup>12</sup> This amendment reduces funding for travel. A legislative intent section is added that the Attorney General continue the practice of state agencies paying directly for requested legal services staff travel.

<sup>13</sup> This amendment appropriates federal fiscal stimulus funds from the American Recovery and Reinvestment Act of 2009 for Edward J. Byrne Memorial Justice Assistance Grant funding (\$1,652,426 and 4 FTE positions), Internet Crimes Against Children Grant funding (\$216,174 and 1 FTE position), community oriented policing services funding (\$864,696 and 4 FTE positions), and Rural Law Enforcement Assistance Act funding (\$390,588 and 3 FTE positions).

This amendment adds sections relating to appropriation of federal fiscal stimulus funds and removes a section of the bill relating to DNA testing.

Section 9 of this bill is changed to correct the date relating to the second-year salary increase for the Attorney General and to provide that beginning in July 2011 the salary of the Attorney General be the same as a North Dakota Supreme Court justice.

A section is added allowing the Attorney General to retain the June 30, 2009, balance in the Attorney General refund fund rather than transferring it to the general fund.

### House Bill No. 1003 - Attorney General - Conference Committee Action

	Executive Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Salaries and wages	\$27,668,657	\$24,824,285	\$954,752	\$25,779,037	\$27,535,021	(\$1,755,984)
Operating expenses	14,204,579	13,426,505	683,300	14,109,805	14,398,945	(289,140)
Capital assets	2,391,187	2,391,187		2,391,187	2,391,187	
Grants	3,559,225	3,559,225	(107,000)	3,452,225	3,381,225	71,000
Litigation fees	50,000	50,000		50,000	50,000	
Medical examinations	250,000	250,000		250,000	250,000	
North Dakota Lottery	3,584,388	3,584,388		3,584,388	3,584,388	
Arrest and return of fugitives	10,000	10,000		10,000	10,000	
Gaming Commission	6,141	6,141		6,141	6,141	
Federal fiscal stimulus funds			2,259,188	2,259,188	3,123,884	(864,696)
Total all funds	\$51,724,177	\$48,101,731	\$3,790,240	\$51,891,971	\$54,730,791	(\$2,838,820)
Less estimated income	21,908,977	21,910,610	2,417,731	24,328,341	24,916,826	(588,485)
General fund	\$29,815,200	\$26,191,121	\$1,372,509	\$27,563,630	\$29,813,965	(\$2,250,335)
FTE	198.50	191.00	9.50	200.50	207.50	(7.00)

### Department 125 - Attorney General - Detail of Conference Committee Changes

	Restores Funding for Salaries <sup>1</sup>	Adds Evidence Technician <sup>2</sup>	Adds Funding for Sobriety Program <sup>3</sup>	Reduces Funding for Grants <sup>4</sup>	Increases Funding for Operating Expenses <sup>5</sup>	Adds Concealed Weapons Permit Administrator <sup>6</sup>
Salaries and wages	799,095	81,053				64,504
Operating expenses		63,706	229,826		472,307	117,461
Capital assets						
Grants				(107,000)		
Litigation fees						
Medical examinations						
North Dakota Lottery						
Arrest and return of fugitives						
Gaming Commission						
Federal fiscal stimulus funds						
Total all funds	\$799,095	\$144,759	\$229,826	(\$107,000)	\$472,307	\$181,965
Less estimated income	186,271	0	0	(107,000)	97,307	181,965
General fund	\$612,824	\$144,759	\$229,826	\$0	\$375,000	\$0
FTE	0.00	1.00	0.00	0.00	0.00	0.50

	<b>Reduces Funding for Travel<sup>7</sup></b>	<b>Appropriates Federal Fiscal Stimulus Funds<sup>8</sup></b>	<b>Increases Salary for Attorney General<sup>9</sup></b>	<b>Total Conference Committee Changes</b>
Salaries and wages			10,100	954,752
Operating expenses	(200,000)			683,300
Capital assets				
Grants				(107,000)
Litigation fees				
Medical examinations				
North Dakota Lottery				
Arrest and return of fugitives				
Gaming Commission				
Federal fiscal stimulus funds		2,259,188		2,259,188
<b>Total all funds</b>	<b>(\$200,000)</b>	<b>\$2,259,188</b>	<b>\$10,100</b>	<b>\$3,790,240</b>
Less estimated income	(200,000)	2,259,188	0	2,417,731
General fund	\$0	\$0	\$10,100	\$1,372,509
<b>FTE</b>	<b>0.00</b>	<b>8.00</b>	<b>0.00</b>	<b>9.50</b>

<sup>1</sup> This amendment restores salaries and wages funding relating to anticipated savings from vacant positions and employee turnover removed by the House, the same as the Senate version.

<sup>2</sup> One FTE evidence technician position is added to assist with DNA evidence collections, the same as the Senate version.

<sup>3</sup> Funding for the 24/7 sobriety program is added, the same as the Senate version.

<sup>4</sup> This amendment reduces funding for grants due to a reduction in pull tab excise taxes in accordance with provisions of 2009 House Bill No. 1317.

<sup>5</sup> This amendment restores special fund support for operating expenses removed in the executive recommendation (\$168,287), restores special fund support removed by the House (\$204,298), and adds special fund support for Crime Laboratory service contracts (\$99,722). The amendment also restores the general fund support for operating expenses included in the executive recommendation (\$375,000). The House increased funding support from federal funds and decreased funding support from the general fund by \$375,000.

<sup>6</sup> This amendment adds a .5 FTE position for a concealed weapons permit administrator, the same as the Senate version.

<sup>7</sup> This amendment reduces funding for travel. A legislative intent section is added that the Attorney General continue the practice of state agencies paying directly for requested legal services staff travel. This is the same as the Senate version.

<sup>8</sup> This amendment appropriates federal fiscal stimulus funds from the American Recovery and Reinvestment Act of 2009 for Edward J. Byrne Memorial Justice Assistance Grant funding (\$1,652,426 and 4 FTE positions), Internet Crimes Against Children Grant funding (\$216,174 and 1 FTE position), and Rural Law Enforcement Assistance Act funding (\$390,588 and 3 FTE positions).

<sup>9</sup> This amendment increases the salary of the Attorney General effective January 1, 2011.

This amendment adds a section also added by the Senate relating to the Attorney General refund fund and adds a section of legislative intent relating to the Attorney General salary increase.

A section of the bill is removed relating to DNA testing, the same as the Senate version.

Section 9 of this bill is changed to correct the date relating to the second-year salary increase for the Attorney General for the 2009-11 biennium and to provide for an increase to the Attorney General's salary, effective January 1, 2011, and July 1, 2011. The Senate provided a different salary increase beginning in July 2011.