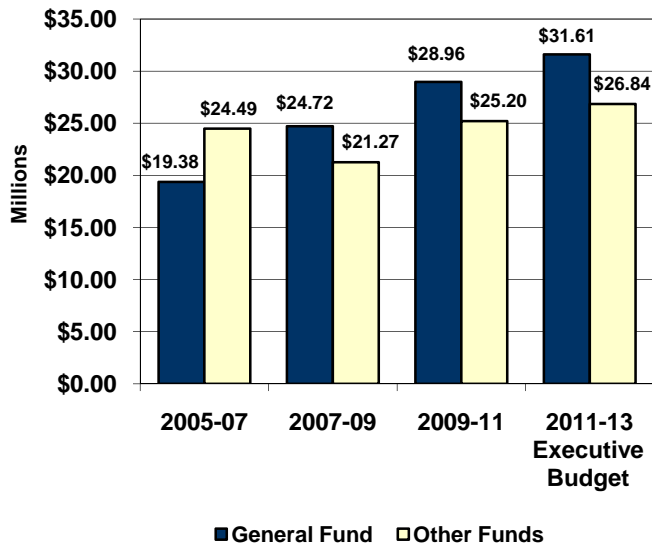


**Department 125 - Attorney General  
 Senate Bill No. 2003**

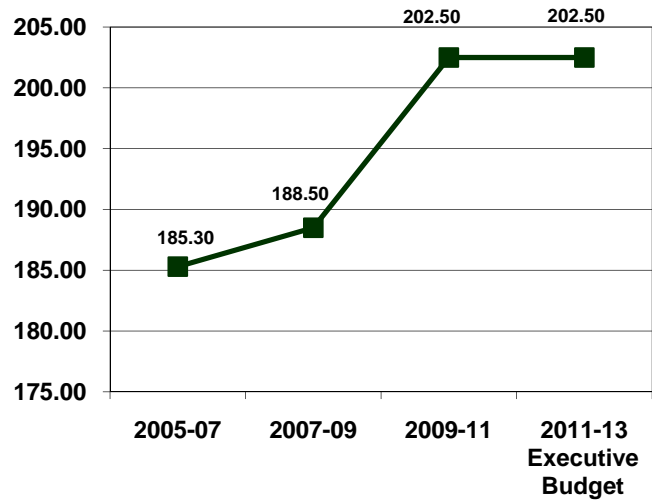
	FTE Positions	General Fund	Other Funds	Total
2011-13 Executive Budget	202.50	\$31,609,538	\$26,841,318	\$58,450,856
2009-11 Legislative Appropriations	202.50	28,960,432	25,201,409	54,161,841 <sup>1</sup>
Increase (Decrease)	0.00	\$2,649,106	\$1,639,909	\$4,289,015

<sup>1</sup>The 2009-11 appropriation amounts include \$1,040,000, \$900,000 of which is from the general fund, for the agency's share of the \$16 million funding pool appropriated to the Office of Management and Budget for special market equity adjustments for executive branch employees. The 2009-11 appropriation amounts do not include \$92,000 of additional general fund appropriations from the state contingencies appropriation and \$269,877 of additional special funds authority resulting from Emergency Commission action during the 2009-11 biennium.

**Agency Funding**



**FTE Positions**



**Ongoing and One-Time General Fund Appropriations**

	Ongoing General Fund Appropriation	One-Time General Fund Appropriation	Total General Fund Appropriation
2011-13 Executive Budget	\$31,297,138	\$312,400	\$31,609,538
2009-11 Legislative Appropriations	28,960,432	0	28,960,432
Increase (Decrease)	\$2,336,706	\$312,400	\$2,649,106

**First House Action**

Attached is a summary of first house changes.

**Executive Budget Highlights  
 (With First House Changes in Bold)**

	General Fund	Other Funds	Total
1. Adds one-time funding for equipment and vehicle purchases	\$312,400		\$312,400
2. Adjusts funding relating to federal fiscal stimulus funding:			
Removes federal fiscal stimulus funding and 8 related FTE positions appropriated for the 2009-11 biennium		(\$1,346,556)	(\$1,346,556)
Adds one-time federal fiscal stimulus funding and 7 related FTE positions for the 2011-13 biennium for the justice assistance grant program (\$1,702,160 and 4 FTE positions), Internet Crimes Against Children Grant program (\$192,547 and 1 FTE position), Rural Law Enforcement Assistance Act funding (\$413,326 and 2 FTE positions), and compensation adjustments for the 7 FTE positions (\$47,675)		2,355,708	2,355,708

Adds funding from other federal funds for 1 FTE position that was previously paid with federal fiscal stimulus funds		106,019	106,019
Total		\$1,115,171	\$1,115,171
3. Adds funding for position reclassifications and salary adjustments	\$190,501		\$190,501
4. Adds one-time funding from the Attorney General's refund fund for rewrite planning for the criminal history system		\$450,000	\$450,000
5. Adds funding from federal funds (\$999,901) and the Attorney General's refund fund (\$178,000) for sexual offender registration kiosks and Crime Laboratory equipment		\$1,177,901	\$1,177,901
6. Increases funding for operating expenses	\$191,778	\$433,645	\$625,423
7. Adds federal funding for salary increases for temporary positions		\$352,000	\$352,000
8. Adds funding for forensic scientist salary equity adjustments and salary increases upon employees receiving certification	\$192,293		\$192,293
9. Adds funding from the Attorney General's refund fund for law enforcement computer application updates		\$900,000	\$900,000
10. Removes federal funding for hazardous materials and emergency preparedness grants to the State Fire Marshal from the Department of Emergency Services		(\$185,500)	(\$185,500)

### Other Sections in Bill

**Fire and tornado fees** - Section 4 creates a new section to North Dakota Century Code Chapter 18-01 providing that the Attorney General shall charge and collect fees for services provided by the State Fire Marshal program to entities covered by the fire and tornado fund under Chapter 26.1-22. All fees collected under this section must be deposited in the Attorney General's operating fund.

**Petroleum release compensation fund fees** - Section 5 creates a new section to Chapter 18-01 providing that the Attorney General shall charge and collect fees for services provided by the State Fire Marshal program to entities covered by the petroleum release compensation fund under Chapter 23-37. All fees collected under this section must be deposited in the Attorney General's operating fund

**Salary of Attorney General** - Section 6 provides for the statutory changes necessary to increase the Attorney General's salary as follows:

Annual salary authorized by the 2009 Legislative Assembly:

July 1, 2009	\$91,719
July 1, 2010	\$96,304
January 1, 2011	\$113,266
July 1, 2011	\$130,228

Proposed annual salary recommended in the 2011-13 executive budget:

July 1, 2011	\$134,135
July 1, 2012	\$138,159

The executive budget recommendation provided funding for elected officials' salary increases equal to 3 percent of salaries effective July 1, 2011, and 3 percent effective July 1, 2012.

**Missing children database** - The Senate added a section to amend Section 12-60-25 to remove the requirement that the Attorney General create and maintain a statewide file system for lost, missing, or runaway children.

**Exemption - Refund fund** - The Senate added a section to allow the Attorney General to retain the balance in the refund fund that would otherwise be transferred to the general fund at the end of the biennium.

### Continuing Appropriations

**Assets forfeiture fund** - Section 54-12-14 - To pay costs related to law enforcement activities of the Attorney General's office.

**Lottery operating fund** - Section 53-12.1-06 - 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.

**Sobriety program fund** - Section 11 of Senate Bill No. 2003 (2007) - To establish a pilot sobriety program for one or more judicial districts for the 2007-09 biennium. The continuing appropriation is authorized for the 2007-09 biennium.

**Multijurisdictional Drug Task Force fund** - Section 54-12-26 - To provide support for the narcotics enforcement efforts of the state.

### **Significant Audit Findings**

The financial statement audit of the North Dakota Lottery conducted by the State Auditor's office during the 2009-10 interim included a significant audit finding relating to confidential information of prize winners being included in e-mails that may not be 100 percent secure.

### **Major Related Legislation**

**Senate Bill No. 2042 - Charitable gaming taxes and allowable expenses** - Provides for the consolidation of the allowable expense limit from a graduated rate to a flat rate of 60 percent for all organizations and the consolidation of all gaming taxes into a flat rate of 1 percent of gross proceeds rather than a graduated tax on adjusted gross proceeds. This bill also increases from 3 percent to 10 percent the amount of the total taxes collected which is deposited into the gaming tax allocation fund (Judiciary Committee).

**Senate Bill No. 2070 - Fees** - Amends Section 4 of Chapter 3 of the 2009 Session Laws to provide increases in the amounts the Attorney General may collect for the 2009-11 biennium for services provided by the State Fire Marshal to entities covered by the fire and tornado fund and the petroleum release compensation fund.

ATTACH:1