

FISCAL NOTE
Requested by Legislative Council
01/11/2011

Bill/Resolution No.: HB 1298

1A. State fiscal effect: *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	2009-2011 Biennium		2011-2013 Biennium		2013-2015 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues						
Expenditures			\$273,787		\$301,166	
Appropriations			\$273,787		\$301,166	

1B. County, city, and school district fiscal effect: *Identify the fiscal effect on the appropriate political subdivision.*

2009-2011 Biennium			2011-2013 Biennium			2013-2015 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts

2A. Bill and fiscal impact summary: *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

This bill provides for the creation of a state ethics committee and potential prosecution of reported violations.

B. Fiscal impact sections: *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

The bill establishes a state ethics committee consisting of members of the Legislative Assembly, the State Health Officer, a member of the State Bar Association, and the Secretary of State. The Legislative Council is to provide staffing for the committee and is anticipated to pay per diem for the committee members. The bill provides for any individual to submit a written complaint to the Secretary of State alleging an elected official or an individual has violated the legislative lobbying statute contained in NDCC Chapter 54-05.1.

The Office of Attorney General or a state's attorney to whom a complaint is referred under this section shall proceed with prosecution of the complaint or shall provide the committee with a written explanation detailing the reason for not pursuing the prosecution.

3. State fiscal effect detail: *For information shown under state fiscal effect in 1A, please:*

A. Revenues: *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

N/A

B. Expenditures: *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

The anticipated general fund cost to the Office of Attorney General for an assistant attorney general and associated expenses is \$273,787 to evaluate and potentially prosecute reported ethics violations. Since the location of the reported ethics violations cannot be predicted to know if a state's attorney will handle the violation, there could be some fiscal impact on the counties which is unknown.

The Legislative Council anticipates a fiscal impact of less than \$5,000.

- C. **Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation is also included in the executive budget or relates to a continuing appropriation.*

The Executive Recommendation could not anticipate this legislation and does not include any funding for this purpose.

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