

MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

1330

2007 HOUSE JUDICIARY

HB 1330

2007 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. HB 1330

House Judiciary Committee

Check here for Conference Committee

Hearing Date: 1/24/07

Recorder Job Number: 1773, 1778

Committee Clerk Signature

D. Penrose

Minutes:

Chairman DeKrey: We will open the hearing on HB 1330.

Rep. Ron Carlisle: I am here in support of this bill, am a sponsor (see attached testimony).

Chairman DeKrey: Thank you. Further testimony in support.

Wayne Stenehjem, Attorney General: I am in support of this bill. This isn't in the AG's budget. The money is used to fund the Narcotic Task Force. This had been funded through the Burn Grant fund, now that fund is very low.

Rep. Kretschmar: In the bill, how did you arrive at the dollar amount.

Wayne Stenehjem: It roughly relates to the amount of money that was allocated to the counties through the Burn Grant program that is now gone.

Rep. Onstad: How does this task force differ from the other.

Wayne Stenehjem: This is funding for all task forces and the program that I would anticipate using in my office, which already existed to allocate the burn grant money, they meet and make a determination of who should get how much. This will make up for the lack in the federal funding that we've seen over the last four or five years.

Rep. Onstad: Is there a way to make all counties participate, make it mandatory.

Wayne Stenehjem: There is a way and you have the power to do it here in the legislature.

We feel that these task forces are effective because we can't do it alone with just our agents at BCI. We have to have that partnership with the local folks. First of all, because they help supply the manpower, but also they know what is going on there in their jurisdictions. Now, fortunately with the decrease in the number of meth labs, which is more than 85% reduction, we can concentrate our efforts on going after the folks who are bringing it in in huge amounts. That means we need to have the technology, which we do, we have the information, we are working with our procedure analysis team to assemble all of the information on drug packaging that is going on so that we're finding out who are the big guys bringing it in, in huge amounts, that's where we will be directing our attention from now on.

Rep. Klemin: I noticed that this bill has an emergency clause on it also. The bill starts July 1, 2007, which means that you need to start transferring funds, I assume that is one reason for the emergency clause, but secondly, on the guidelines that you are going to develop the qualifications for the receipt of grant funds, are you expecting that these guidelines will be similar to the Burn Grant fund guidelines.

Wayne Stenehjem: Yes, I think that is the way we will do it. There is a subcommittee that already exists and they will continue to exist because we still do get some burn grant money, so that's probably the most realistic place to put the funds and use similar guidelines. They have an opportunity to come in and give a pitch. Of course, we always get more requests than there is funding available. The committee makes a recommendation to me and the governor.

Rep. Klemin: When could you expect to start dispersing funds.

Wayne Stenehjem: Well, if the bill passes with the emergency clause effective July 1, I think we would do it then.

Rep. Onstad: My understanding of the cartels are that they are moving into the tribal lands, such as the Turtle Mountains. Do you need cooperation from each individual tribe to sign on to this, how does that work.

Wayne Stenehjerm: We do, this is not something we mandate. This is something that we make available and try to encourage as much participation as we possibly can. That means statewide. The problem with the drug trade on the reservations is among the most severe in the state. We want to partner with as many people as we possibly can to eradicate the problem.

Rep. Onstad: So how does that work, are you in direct contact with the different reservations, because of federal jurisdictional issues.

Wayne Stenehjerm: We cooperate with BIA and the FBI, who has criminal jurisdiction on the Indian Reservations, as well as the US Drug Enforcement Administration. They are all part of the team, but a crucial part of the team is the local law enforcement; the sheriff, the deputies, etc.

Chairman DeKrey: Thank you. Further testimony in support.

Scott Buschee, ND Sheriffs and Deputies Association: We have formed a partnership on the local level. Some of us elected officials and chiefs have stuck out neck out and gone to our commissioners and have asked for salary to keep these drug task forces going. They are intelligence driven drug task forces that quite frankly takes 3-4 years of being a member of this before you really know what is going on and getting the expertise that the narcotic task force has. All we're asking is that the loss of the burn grant fund be made up. We aren't begging for the whole amount. We understand that we have to pick up the ball on our end, too. Instead of being mad that the burn grant funds have gone away, we should be happy that did a good job for us for a long time. It is a financial shock for the local municipalities and counties to pick up

this whole thing at one time. I fear that we are going to lose some drug task forces without some help. They will be dissolved and gone away. We have made inroads into the drug problem and we need to keep going to eradicate it.

Rep. Koppelman: We're all sympathetic to what the bill is trying to do, but I'm just wondering, sometimes we get into these grant issues where there is a national entity that offers a grant and they'll jump on board and then put it to good use, but then we know the day is coming when the grant will go away. Is there any way to avoid that, or do you look at that when you look at whether you take these grants or not. What is the sustainability of these.

Scott Buschee: We do that. There are a lot of grants that we have backed off simply because we aren't able to maintain those services after the grant goes away. We feel that this is very important. We have entered into a partnership with our local municipalities and counties. We know that the state or the feds cannot pick up these services forever and we have been weaning ourselves off of it. We're asking for a little bit more gentle fall off the grant funds.

Rep. Delmore: Do you have a list of where these are located now.

Scott Buschee: I do not. Rep. Carlisle had it. That could be provided.

Chairman DeKrey: Thank you. Further testimony in support.

Aaron Birst, ND Association of Counties, State's Attorneys Association: (see attached testimony).

Chairman DeKrey: Thank you. Further testimony in support.

Chief Rostveldt, Stutsman County: As a participant in the drug task force with Stutsman County and we also serve six other counties. This has been a godsend for us. I have gone and testified at the federal level to try and get the burn grant reinstated. We hope that comes about. We don't know that it is going to come about. I thought this bill was a very positive

thing for the drug task force across the state. There may be eight of them. We hope that more come on board. I don't know if there is money to finance that. However, I really believe that this has been a crutch. We have had a lot of homicides and domestic problems and all of that is related to drugs. In order for us to alleviate the problem, I think we need to keep the pressure on to keep the drugs out of the state. We can't do it without the drug task forces.

Rep. Kretschmar: You mentioned the burn grant. Is that from the federal government.

Chief Rostveldt: Yes, then they changed it to a JAG funding. It's been around forever and we have become quite dependent on it. We have to supplement the dollar amount that we put into our drug task force because the burn grant money kept going down and down. That is the federal level. I know that there is some movement to try and reinstate it. With all the expense the federal government is having right now, whether that would come about or not. This is a supplemental way to keep the task force going.

Rep. Kretschmar: You have the county's help.

Chief Rostveldt: Very much so.

Chairman DeKrey: Thank you. Further testimony in support of HB 1330.

Steve Bay, Grant County Sheriff: We support this bill. We have a three person department, we are a member of the task force. They serve us very well. Could we do this on our own, not a chance. We can put the information together for them, but we don't have the manpower to handle the case from start to finish. We took down three meth labs with the help of the task force. That is a large amount in our little county. We put the information together, and with their help, several of the gentlemen are in the state pen. Those labs are no longer functional. We need these people out in the rural areas.

Chairman DeKrey: Thank you. Further testimony in support. Testimony in opposition. We will close the hearing.

(Reopened later in the day)

Chairman DeKrey: We will take a look at HB 1330.

Rep. Delmore: I make a motion to move a Do Pass with rereferral to Appropriations.

Rep. Wolf: Seconded.

14 YES 0 NO 0 ABSENT DO PASS WITH REREFERRAL TO APPROPRIATIONS

CARRIER: Rep. Kingsbury

2007 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. HB 1330

House Judiciary Committee

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D. Penrose

Minutes:

Chairman DeKrey: We will take a look at HB 1330.

Rep. Delmore: I make a motion to move a Do Pass with rereferral to Appropriations.

Rep. Wolf: Seconded.

14 YES 0 NO 0 ABSENT DO PASS WITH REREFERRAL TO APPROPRIATIONS

CARRIER: Rep. Kingsbury

FISCAL NOTE
Requested by Legislative Council
04/23/2007

Amendment to: HB 1330

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.*

	2005-2007 Biennium		2007-2009 Biennium		2009-2011 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues			(\$845,000)	\$845,000	(\$848,600)	\$848,600
Expenditures				\$845,000		\$848,600
Appropriations				\$0		\$0

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

2005-2007 Biennium			2007-2009 Biennium			2009-2011 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).*

The bill transfers \$100,000 per quarter from the Lottery fund to the multijurisdictional task force grant fund for task forces. If federal Byrne funds exceed the 2006 award, federal funds will be used in lieu of Lottery funds to defray the expenses of multijurisdictional task forces.

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.*

A quarterly transfer from the Lottery fund to the multijurisdictional task force grant fund is provided for task forces in the state. During the 2005 legislative session, the Attorney General's office received notice the federal Edward Byrne Memorial grant funding would be reduced by 44% (\$1.055 million), much of which was used to fund drug task forces throughout the state. Since then, funds have been reduced much further to only \$554,556. This bill will help restore much of these monies for multijurisdictional task forces in the state.

In the event Byrne federal funds exceed the 2006 level, the additional federal funds will be used in lieu of the Lottery funds to the extent federal funds are available and approved by the Emergency Commission.

The bill includes \$45,000 for administering the grants program. A grants and contracts officer who currently manages federal funds will be assigned to administer these newly appropriated task force funds. The officer's familiarity and expertise will ensure proper reporting, coordination, and routine auditing of funds. However, since federal administrative funds have also decreased significantly, we request half of this position be funded through the Lottery fund.

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.*

A quarterly transfer from the Lottery fund to the multijurisdictional task force grant fund is provided. Lottery monies remaining at the end of a biennium are transferred to the general fund so the revenue reduction impacts the general fund.

In the event Byrne federal funds exceed the 2006 level, the additional federal funds will be used in lieu of the Lottery funds to the extent federal funds are available and approved by the Emergency Commission.

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.*

These monies will be granted to multijurisdictional drug task forces within the state and will pay for a .5 FTE grants and contracts officer to administer these funds.

In the event Byrne federal funds exceed the 2006 level, the additional federal funds will be used in lieu of the Lottery funds to the extent federal funds are available and approved by the Emergency Commission.

- 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.*

These monies will be granted to multijurisdictional drug task forces within the state and will pay for a .5 FTE grants and contracts officer to administer these funds. The bill provides a continuing appropriation for the multijurisdictional task force fund.

In the event Byrne federal funds exceed the 2006 level, the additional federal funds will be used in lieu of the Lottery funds to the extent federal funds are available and approved by the Emergency Commission.

Name:	Kathy Roll	Agency:	Office of Attorney General
Phone Number:	328-3622	Date Prepared:	04/23/2007

FISCAL NOTE
 Requested by Legislative Council
 03/26/2007

Amendment to: HB 1330

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.*

	2005-2007 Biennium		2007-2009 Biennium		2009-2011 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues			(\$845,000)	\$845,000	(\$848,600)	\$848,600
Expenditures				\$845,000		\$848,600
Appropriations				\$0		\$0

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

2005-2007 Biennium			2007-2009 Biennium			2009-2011 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).*

The bill transfers \$100,000 per quarter from the Lottery fund to the multijurisdictional task force grant fund for task forces.

As amended, if federal Byrne funds exceed the 2006 award, federal funds will be used in lieu of Lottery funds to defray the expenses of multijurisdictional task forces.

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.*

A quarterly transfer from the Lottery fund to the multijurisdictional task force grant fund is provided for task forces in the state. During the 2005 legislative session, the Attorney General's office received notice the federal Edward Byrne Memorial grant funding would be reduced by 44% (\$1.055 million), much of which was used to fund drug task forces throughout the state. Since then, funds have been reduced much further to only \$554,556. This bill will help restore much of these monies for multijurisdictional task forces in the state.

In the event Byrne federal funds exceed the 2006 level, the additional federal funds will be used in lieu of the Lottery funds to the extent federal funds are available and approved by the Emergency Commission.

A grants and contracts officer who currently manages federal funds will be assigned to administer these newly appropriated task force funds. The officer's familiarity and expertise will ensure proper reporting, coordination, and routine auditing of funds. However, since federal administrative funds have also decreased significantly, we request .5 FTE of this position be funded through the lottery fund.

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.*

A quarterly transfer from the Lottery fund to the multijurisdictional task force grant fund is provided. Lottery monies remaining at the end of a biennium are transferred to the general fund so the revenue reduction impacts the general fund.

In the event Byrne federal funds exceed the 2006 level, the additional federal funds will be used in lieu of the Lottery funds to the extent federal funds are available and approved by the Emergency Commission.

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.

These monies will be granted to multijurisdictional drug task forces within the state and to pay for .5 FTE grants and contracts officer to administer these funds.

In the event Byrne federal funds exceed the 2006 level, the additional federal funds will be used in lieu of the Lottery funds to the extent federal funds are available and approved by the Emergency Commission.

- 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.*

These monies will be granted to multijurisdictional drug task forces within the state and to pay for .5 FTE grants and contracts officer to administer these funds. The bill provides a continuing appropriation for this purpose.

In the event Byrne federal funds exceed the 2006 level, the additional federal funds will be used in lieu of the Lottery funds to the extent federal funds are available and approved by the Emergency Commission.

Name:	Kathy Roll	Agency:	Office of Attorney General
Phone Number:	328-3622	Date Prepared:	03/26/2007

FISCAL NOTE
Requested by Legislative Council
02/28/2007

Amendment to: HB 1330

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.*

	2005-2007 Biennium		2007-2009 Biennium		2009-2011 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues			(\$1,045,000)	\$1,045,000	(\$1,048,600)	\$1,048,600
Expenditures				\$1,045,000		\$1,048,600
Appropriations				\$1,045,000		\$1,048,600

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

2005-2007 Biennium			2007-2009 Biennium			2009-2011 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).*

The bill transfers \$125,000 per quarter from the Lottery fund to the multijurisdictional task force grant fund for task forces.

As amended, if federal Byrne funds exceed the 2006 award, federal funds will be used in lieu of Lottery funds to defray the expenses of multijurisdictional task forces.

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.*

A quarterly transfer from the Lottery fund to the multijurisdictional task force grant fund is provided for task forces in the state. During the 2005 legislative session, the Attorney General's office received notice the federal Edward Byrne Memorial grant funding would be reduced by 44% (\$1.055 million), much of which was used to fund drug task forces throughout the state. Since then, funds have been reduced much further to only \$554,556. This bill will help restore much of these monies for multijurisdictional task forces in the state.

In the event Byrne federal funds exceed the 2006 level, the additional federal funds will be used in lieu of the Lottery funds to the extent federal funds are available and approved by the Emergency Commission.

A grants and contracts officer who currently manages federal funds will be assigned to administer these newly appropriated task force funds. The officer's familiarity and expertise will ensure proper reporting, coordination, and routine auditing of funds. However, since federal administrative funds have also decreased significantly, we request .5 FTE of this position be funded through the lottery fund.

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In the event Byrne federal funds exceed the 2006 level, the additional federal funds will be used in lieu of the Lottery funds to the extent federal funds are available and approved by the Emergency Commission.

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.

These monies will be granted to multijurisdictional drug task forces within the state and to pay for .5 FTE grants and contracts officer to administer these funds.

In the event Byrne federal funds exceed the 2006 level, the additional federal funds will be used in lieu of the Lottery funds to the extent federal funds are available and approved by the Emergency Commission.

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.*

These monies will be granted to multijurisdictional drug task forces within the state and to pay for .5 FTE grants and contracts officer to administer these funds. The bill provides a continuing appropriation for this purpose.

In the event Byrne federal funds exceed the 2006 level, the additional federal funds will be used in lieu of the Lottery funds to the extent federal funds are available and approved by the Emergency Commission.

Name:	Kathy Roll	Agency:	Office of Attorney General
Phone Number:	328-3622	Date Prepared:	03/02/2007

FISCAL NOTE
 Requested by Legislative Council
 01/22/2007

REVISION

Bill/Resolution No.: HB 1330

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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).*

The bill transfers \$125,000 per quarter from the Lottery fund to the multijurisdictional task force grant fund for grants to such drug task forces.

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.*

A quarterly transfer from the Lottery fund to the multijurisdictional task force grant fund is provided for task forces in the state. During the 2005 legislative session, the Attorney General's office received notice the federal Edward Byrne Memorial grant funding would be reduced by 44% (\$1.055 million), much of which was used to fund drug task forces throughout the state. Since then, funds have been reduced much further to only \$554,556. This bill will help restore much of these monies for multijurisdictional task forces in the state.

A grants and contracts officer who currently manages federal funds will be assigned to administer these newly appropriated task force funds. The officer's familiarity and expertise will ensure proper reporting, coordination, and routine auditing of funds. However, since federal administrative funds have also decreased significantly, we request .5 FTE of this position be funded through the lottery fund.

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appropriations. Indicate whether the appropriation is also included in the executive budget or relates to a continuing appropriation.

These monies will be granted to multijurisdictional drug task forces within the state and to pay for .5 FTE grants and contracts officer to administer these funds. The bill provides a continuing appropriation for this purpose.

Name:	Kathy Roll	Agency:	Office of Attorney General
Phone Number:	328-3622	Date Prepared:	01/22/2007

FISCAL NOTE
 Requested by Legislative Council
 01/11/2007

Bill/Resolution No.: HB 1330

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Expenditures			\$1,045,000		\$1,045,000	
Appropriations			\$1,045,000		\$1,045,000	

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continuing appropriation.

These monies will be granted to multijurisdictional drug task forces within the state and to pay for .5 FTE grants and contracts officer to administer these funds. The bill provides a continuing appropriation for this purpose.

Name:	Kathy Roll	Agency:	Office of Attorney General
Phone Number:	328-3622	Date Prepared:	01/19/2007

Date: 1/24/07
Roll Call Vote #: 1

2007 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1330

House JUDICIARY Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass w/ Resefernal to Approps.

Motion Made By Rep. Delmore Seconded By Rep. Wolf

Representatives	Yes	No	Representatives	Yes	No
Ch. DeKrey	/		Rep. Delmore	/	
Rep. Klemin	/		Rep. Griffin	/	
Rep. Boehning	/		Rep. Meyer	/	
Rep. Charging	/		Rep. Onstad	/	
Rep. Dahl	/		Rep. Wolf	/	
Rep. Heller	/				
Rep. Kingsbury	/				
Rep. Koppelman	/				
Rep. Kretschmar	/				

Total (Yes) 14 No 0

Absent 0

Floor Assignment Rep. Kingsbury

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE

HB 1330: Judiciary Committee (Rep. DeKrey, Chairman) recommends DO PASS and BE REREFERRED to the Appropriations Committee (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1330 was rereferred to the Appropriations Committee.

2007 HOUSE APPROPRIATIONS

HB 1330

2007 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. HB1330

House Appropriations Committee

Check here for Conference Committee

Hearing Date: 02-01-07

Recorder Job Number: 2664

Committee Clerk Signature

Minutes:

Chairman Svedjan: Asked for the hearing to begin for HB 1330. This bill deals with the asset forfeiture fund.

Rep DeKrey: The policy portion of this bill would allow the Attorney General to set up a grant fund to fund numerous jurisdiction task forces. What we see happening in the state is that larger jurisdictions of law enforcement, particular larger cities in North Dakota, Fargo, Bismarck, Dickinson and the like, are going out and assisting in the rural areas, because they have the people with the expertise and the equipment to do these types of drug enforcement and raids and other problems out there. The Federal money that they funded some of this stuff with is the Byrn Grants which has dried up. There has been like a 41% reductions in this. So what this bill does is takes moneys from the fund that you mentioned and provides for a continued appropriation of \$125,000 each quarter in the biennium beginning July 1, 2007, this is derived from the lottery operating fund. These larger entities that are going out and helping in the rural areas can apply to the Attorney General to have some of their expenses reimbursed. It was just stated that it is always going to cost them more than they would be able to be reimburse out of this fund but the larger jurisdictions do it because they believe it is important to the public safety. They would like to see this fund set up in the Attorney General's

office to defray as much of their expenses as could be. It would be on a case by case basis that they would apply for these funds.

Chairman Svedjan: Reviewing the FN, it shows that there would be a negative impact to the General Fund of a million 45 dollars. This would be of money that typically would have flowed into the General Fund from the lottery operating fund, is that correct?

Rep DeKrey: Yes.

Rep Carlisle: The Law Enforcement came to us with this; all the entities came to us with this.

Chairman Svedjan: Does the Lottery Operating Fund grow every year?

LC: According to the Revenues Projections the lottery revenues are \$12,000,000 during the 2005-07 and down to about \$11.6 million for 07-09. There is an anticipation of a decrease for the next biennium.

Rep Skarphol: In your committee did you discuss what the current utilization is? They have had grants. The \$125,000 per quarter, is that reflective of what their costs have been? Or how was that number chosen?

LC: In 2004 under the Byrn Grant, North Dakota received 2.1 million dollars to fund enforcement efforts through out the state. Then last year they received only \$554,000. This would be more money than they received in the prior year but not as much as in the year prior to that.

Rep Skarphol: It is my understanding that Meth use is declined and has declined quit dramatically.

Rep DeKrey: That was brought up in the committee discussion in the law enforcements point of view was that we have them down and we need to keep them there. If we let up now we will be right back where we were.

Rep Skarphol: What I am saying, if the arrest have dropped like 20% of what they once were.

So if the associated costs have declined as well and if that cost is relatively close to what they really anticipate they are going to need?

Rep DeKrey: That I do not know.

Rep Carlisle: Meth labs are down but still 80% of the drugs are coming from out of state and part of this, they are going after the folks, changing their focus.

Rep Gulleon: Is this the first of money that are directed from the lottery fund? Have we set up any other sub funds?

Rep DeKrey: As far as I know this is the first time.

Rep Gulleon: Is there also some type of gambling prevention fund that would be part of that?

Rep DeKrey: Yes, the money from the lottery goes directly into the gamblers. It is \$150,000 or something like that.

Rep Skarphol: This is for enforcement the way I am reading this. Are we expecting an increase in FTE's? Or is this just going fund some of the positions that are currently being funded by the Byrns grant and no more?

Rep Dekrey: What this is doing is trying to replace some of the funds that we have lost from the burn grand. There are not going to be any increase in FTE's.

Rep Skarphol: So can you tell us how many FTE's this is going to support?

Rep DeKrey: It goes back to the major cities in North Dakota. So what ever Law Enforcement personnel numbers are that is the number of FTE's that it is supporting.

Chairman Svedjan: I understand that this is a grant, the only provisions for FTE's that this \$1,450,000 would fund is an ½ of an FTE according to this FN to help administer these funds. The responsibilities of these funds seem to be shifting.

Rep DeKrey: That would have to be in the AG office then because that is who these cities are going to be applying for the grant from is the Attorney Generals office. If he is saying that ½ of an FTE, he must figure it would take a person ½ of the time to administer this grant.

Chairmen Svedjan: Discussed the 2nd paragraph on the FN. Which is the change in administration these funds if approved

Rep Nelson: Is there a committee in place to distribute the Byrn Grant currently?

Rep DeKrey: My understanding is that they would use that committee that is currently in place and they would switch their focus on the grant fund instead of the Byrn Grant money, which is drying up.

Rep Monson: It seems like they are not asking for an extra ½ FTE they are just asking for the funding to be switched from Federal Grants to the General Fund Grant.

Chairman Svedjan: Yes that is correct.

Rep Hawken: Would this be like when the SWAT team comes in and then they reimbursement them for their services?

Rep DeKrey: Exactly

Rep Carlisle: Aren't there like 8 Task Forces spread around the state now?

Chairman Svedjan: Just to pick up on that it state here that it is \$125,000 per quarter. Is that per task force?

Rep DeKrey: It has nothing to do with the number of Task Forces.

Rep Kempenich: What did we put into the AG's office in the General Funds Money? Because we had to back fill this last year already.

Rep Carlisle: We did back fill some of the money.

Chairman Svedjan: There was a significant lose of Byrn Grant Funds last time it has been depleted even further as referenced on the FN. Here is a situation where we are supplanting federal dollars where there is a program that is highly successful.

Rep Skarphol: Are there any other requests that are to be supplanting these Byrn Grant dollars that anyone is aware of in the budgets?

Rep Kempenich: That is what I am driving at, with the AG's budget we took General Fund dollars last biennium for this biennium to make this work and now we have some more.

That is why I am asking are we going straight General Fund?

Chairman Svedjan: That is what it amounts to as this is money that would flow into the General Fund. We don't have the AG's budget so I can't answer that part of it.

Rep Nelson made a motion "Do Pass" and Rep Klein seconded it.

Roll Call Vote is 20 yes, 2 no and 2 absent.

Carrier is Rep Kingsbury.

Date: 2/1/07
 Roll Call Vote #: 1

2007 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1330

House Appropriations Full Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass

Motion Made By Nelson Seconded By Klein

Representatives	Yes	No	Representatives	Yes	No
Chairman Svedjan	✓				
Vice Chairman Kempenich	✓				
Representative Wald	✓		Representative Aarsvold	✓	
Representative Monson	✓		Representative Gulletson	✓	
Representative Hawken	✓				
Representative Klein	✓				
Representative Martinson	✓				
Representative Carlson	—		Representative Glassheim	✓	
Representative Carlisle	✓		Representative Kroeber	✓	
Representative Skarphol		✓	Representative Williams	✓	
Representative Thoreson	✓				
Representative Pollert	✓		Representative Ekstrom	✓	
Representative Bellew		✓	Representative Kerzman	✓	
Representative Kreidt	✓		Representative Metcalf	✓	
Representative Nelson	✓				
Representative Wieland	✓				

Total (Yes) 20 No 2

Absent 2

Floor Assignment Rep. Kingstony

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE (410)
February 1, 2007 6:15 p.m.

Module No: HR-19-1869
Carrier: Kingsbury
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

HB 1330: Appropriations Committee (Rep. Svedjan, Chairman) recommends DO PASS
(20 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING). HB 1330 was placed on the
Eleventh order on the calendar.

2007 SENATE JUDICIARY

HB 1330

2007 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. HB 1330

Senate Judiciary Committee

Check here for Conference Committee

Hearing Date: February 26, 2007

Recorder Job Number: 3855

Committee Clerk Signature *Maria L. Salley*

Minutes: Relating to the attorney general multi jurisdictional drug task force grant fund.

Senator David Nething, Chairman called the Judiciary committee to order. All Senators were present. The hearing opened with the following hearing:

Testimony in Favor of the Bill:

Rep. Ron Carlisle, Dist #30 Introduced the bill, speaking of eight different task forces and on tribal, federal funds-Byrne Grant money amendment, Spoke of the funding process and timing Att. #1 The fund was \$1 million.

Sen. Nething asked where the lottery fund goes currently. It currently goes into the general fund. We would like to use general funds to replace the Byrne Grant.

Attorney General Wayne Stenehjem (meter 4:20) Spoke his "thank-you's". The process was fine until the fund money's started to disappear. Spoke of the work being done with the agencies. We are having trouble paying for the overtime and equipment. The 8 region task force along with B.C.I. and local law enforcement entities are all in those tasks forces. This does not pay for their salaries. He introduced the people who are coming to speak to the committee next.

General Seneham has worked with our congressional delegates to urge the support of the grant. Initially they have been good to help, with budget cuts in Washington, funds have gone down to zero. With their help we have come up with half of the funding, we are hopeful that we can obtain all of it.

Sen. Nething asked why it is not in the Attorney General's current budget. Priority in the budget and this is separate. While this is important it is not the priority. The top two on my list is salaries and the crime lab; this would be number three, while still being very important.

Scott Busching, Sheriff and Legislative Liaison for the Sheriffs, spoke in support of the bill and the priority of the Political Subs committee is to come up with the funds. . We tried to wean ourselves from the grant. Eventually Poly Subs will have to come to the table and do it all. Currently they only cover the salaries. The grant covers cell phones, cars, hotel rooms etc. The drug task force has done a great job in the "fight" against the drug war. Our government's priority is the safety of its people.

Sen. Fiebiger referring to the process to not be dependent on the grant what has been done on a local level (meter 12:06)? Mr. Busching replied that they have picked up the salaries and down the road if the economy stays good we will be able to pick it all up.

Terry Traynor, Assoc. of Counties (meter 12:67) stated that the County Commissioners in ND are in support of the bill. He spoke of the funding, the loss of it, and property taxes.

Sen. Nething questioned if he thought the relief would come from property and sales tax growth? Yes, and Mr. Traynor spoke of the funds.

Testimony Against the bill:

None

Testimony Neutral to the bill:

None

Senator David Nething, Chairman closed the hearing.

Sen. Lyson made the motion to Do Pass Amendment – Att. #1 from today and Amendment and **Sen. Olafson** seconded the motion. All members were in favor and the motion passes.

Sen. Lyson made the motion to Do Pass HB 1330 as amended to appropriations and **Sen. Olafson** seconded the motion. All members were in favor and the motion passes.

Carrier: **Sen. Lyson**

Senator David Nething, Chairman closed the hearing.

Att #1
2-26-07

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1330

Page 3, after line 3, insert:

"If the attorney general receives federal funds in excess of the year 2006 level of Byrne grant funding that may be used to defray the expenses and operating costs incurred by a multijurisdictional task force during the 2007-09 biennium, the attorney general may seek emergency commission approval to receive and spend the additional federal funds but may not spend moneys from the funds appropriated by the legislative assembly to the extent of the additional federal funds received for this purpose for the biennium beginning July 1, 2007, and ending June 30, 2009."

Renumber accordingly

JCB
2-26-07

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1330

Page 2, line 18, after the underscored boldfaced period insert:

"1."

Page 2, line 25, replace "1." with "a."

Page 2, line 27, replace "2." with "b."

Page 3, line 1, replace "3." with "c."

Page 3, after line 3, insert:

"2. If the attorney general receives federal funds in excess of the year 2006 level of Byrne grant funding that may be used to defray the expenses and operating costs incurred by a multijurisdictional task force during the 2007-09 biennium, the attorney general may seek emergency commission approval to receive and spend the additional federal funds but may not spend moneys from the funds appropriated by the legislative assembly to the extent of the additional federal funds received for this purpose for the biennium beginning July 1, 2007, and ending June 30, 2009."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1330: Judiciary Committee (Sen. Nething, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS and BE REREFERRED to the Appropriations Committee (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1330 was placed on the Sixth order on the calendar.

Page 2, line 18, after the underscored boldfaced period insert:

"1."

Page 2, line 25, replace "1." with "a."

Page 2, line 27, replace "2." with "b."

Page 3, line 1, replace "3." with "c."

Page 3, after line 3, insert:

"2. If the attorney general receives federal funds in excess of the year 2006 level of Byrne grant funding that may be used to defray the expenses and operating costs incurred by a multijurisdictional task force during the 2007-09 biennium, the attorney general may seek emergency commission approval to receive and spend the additional federal funds but may not spend moneys from the funds appropriated by the legislative assembly to the extent of the additional federal funds received for this purpose for the biennium beginning July 1, 2007, and ending June 30, 2009."

Renumber accordingly

2007 SENATE APPROPRIATIONS

HB 1330

2007 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. 1330

Senate Appropriations Committee

Check here for Conference Committee

Hearing Date: 03-09-07

Recorder Job Number: 4748

Committee Clerk Signature



Minutes:

Chairman Holmberg opened the hearing on HB 1330.

Representative Ron Carlisle, District 30, Bismarck, presented written testimony (1) and introduced HB 1330 which creates a multijurisdictional drug task force grant fund to be administered by the Attorney General. The funds are to be derived from the net proceeds of the lottery operating fund.

Attorney General Wayne Stenehjem presented written testimony (2, 3) indicating HB 1330 is necessary to replace the monies lost as a result of no more federal Byrne grant funds available. He indicated if the Byrne Funds are restored, that money will be used before the state general fund monies are used. He discussed the drug task forces and their budgets.

Senator Mathern asked that in terms of the budget and fiscal note, are there any law enforcement issues that this would be competing against. The response was no.

Senator Bowman asked questions about catching the dealers. The response was that they certainly that my catching the dealers it would have a positive effect in the long run. We are concentrating on bringing in the big dealers.

Senator Krauter indicated in light of what is being done in the AG office budget, he fully supports the money in the lottery, but you have to justify to me the use of funds to administer

the Byrne grants. The response was we have always had that position for the Byrne Grant.

The decisions on where the money goes is administered

Senator Lindaas indicated that since the drugs are coming across state lines and borders, what involvement does the federal government has. The response was there are cooperative efforts with sheriffs, Attorney General's Office, Drug Enforcement administration, Boarder Patrol, FBI, and all law enforcement other agencies.

Scott Bushing, Sheriff, Williams County, Legislative Liaison for Sheriff's and Deputies Association, indicating officers are looking for a partnership to help with what is going on to keep the long-term drug force. When the Byrne Grant started to his county has taken it upon themselves to come up with additional funding. He indicated it takes years to get in a position and become effective with it. They are asking that the legislature give officers a hand to keep this going.

Terry Mahran, Bowman County, indicating he is from a Dept of three and a past member of a task force, testified in support of this legislation indicating he had gone to his commissioners and they will not help to keep the task force going. He then described the seizures that have gone on for his county and indicated when he has situations now he must contact Burleigh County for help.

Terry Traynor, Assistant Director, ND Association of Counties, distributed written testimony (4) and urged support of HB 1330. He indicated his written testimony shows the amount of federal byrne grant funding.

Dean Ross, Chief of Police, Valley City, representing the Chief of Police Association testified in support of HB 1330.

Senator Mathern asked if this bill had gone through the political committee. The response was yes it had gone through judiciary. Senator Mathern then asked what happens if the government doesn't go with this. The response was the consequence is that personnel are cut

Senator Tallackson indicated it was puzzling to him that the federal government is cutting back on funding when they have a war on drugs.

Senator Robinson indicated the issue is continuity which takes persistence, this is important work.

Chairman Holmberg closed the hearing on HB 1330.

2007 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. 1330

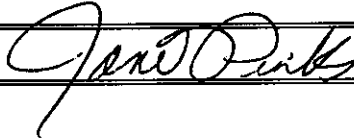
Senate Appropriations Committee

Check here for Conference Committee

Hearing Date: 03-22-07

Recorder Job Number: 5457

Committee Clerk Signature



Minutes:

Chairman Holmberg opened the hearing on HB 1330.

OMB indicated that word just came in that the Burn Grant will be the same as the 2006 funding levels.

Senator Robinson asked how that compares because last year we took quite a hit. They had to reduce officers in the state because the current funding levels are insufficient.

OMB responded that the level will be a \$500,000.

Senator Krauter indicated it states that in the event the funding levels exceed the 2006 level that additional federal funds will be used in lieu of a lottery fund. Where does it say that specifically; page 3, item 2.

Chairman Holmberg indicated he thought what he was looking at might be what the Senate Judiciary Committee added. Senator Krauter questioned why they need an additional .5 FTE. The concern is if you are doing it now, why do you need more FTE.

Chairman Holmberg read some minutes from a recent hearing on 3/9.

Senator Robinson indicated he is convinced this is good for ND. It is wrong to kill the bill. There might be room for negotiating a lower fiscal note in. Senator Krauter made a good point on the \$45,000. In our part of the state, we lost an officer, this is not overnight thing, if there is disinterest on the part of the committee we could act on the bill make amendments and end up in conference.

Senator Robinson motioned to consider lowering the fiscal note, Senator Krauter seconded.

Discussion was held.

Chairman Holmberg indicated the trouble is we can't amend fiscal note.

Allen indicated if you want to reduce the amendment on page 2 reduce the transfer from the lottery to this fund by \$125,000 per quarter. Chairman Holmberg indicated I hear what you are talking about.

This burn grant is still in a fluid situation.

OMB indicated it is certain this will remain for three years.

Senator Krauter where is the authorized ½ FTE.

Allen indicated it doesn't really say. They just have a continuing appropriation.

Senator Mathern doesn't need this if we amend and if we pass the bill.

Senator Christmann indicated in conversations with law enforcement, they are not happy with what has been done in the past with this and think a lot of concern for this hasn't worked that well for them. If they had ½ time FTE and better coordination it would work

Senator Krauter indicated when he visited with the drug unit, they really believe in it because of the advisory committee. They are worried about getting dollars.

Senator Robinson stated that in his part of the state they really want this program and need continuity -- if you look at graphs had growth in busts and down trend and part attrib to having officers laid off there is activity but had officer cut back because of funding.

Senator Bowman stated when the law was passed to make it harder for people to purchase ingredients for meth we thought it would ease up but now we see it come from Mexico. This is a problem for counties – Bowman County tried to fund themselves because funding dried up and we dropped it. It takes a lot of money to catch meth dealers.

Senator Christmann indicated this is a high dollar item, I don't know what area that various counties are. In Mercer County they are paying a big portion of the cost because of drug problems. Because Mercer is a bigger county, they pay big chunk but most of their time is spent out west.

Senator Robinson indicated the fact is that what is done in Williston, Dickinson, and Bismarck is good for Fargo, Wahpeton, Grand Forks and Valley City. The network is not local, you bust someone in Fargo you impact parts of the rest of the state. This is an issue for all 53 counties.

Senator Robinson withdrew his first motion.

Senator Robinson moved page 2 line 9 be reduced from \$125,000 to \$100,000 per quarter, Senator Krauter seconded. The motion carried.

Senator Mathern moved a do pass as amended, Senator Tallackson seconded. A roll call vote was taken resulting in 13 yes, 1 no, 0 absent. The motion passed. Senator Lyson will carry the bill Senator Robinson will carry the amendment.

Chairman Holmberg closed the hearing on HB 1330.

Date: 3/22
Roll Call Vote #: J

2007 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1330

Senate Appropriations Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken DP as Amend

Motion Made By Mathern Seconded By Tallackson

Senators	Yes	No	Senators	Yes	No
Senator Ray Holmberg, Chrm	✓		Senator Aaron Krauter	✓	
Senator Bill Bowman, V Chrm	✓		Senator Elroy N. Lindaas	✓	
Senator Tony Grindberg, V Chrm	✓		Senator Tim Mathern	✓	
Senator Randel Christmann		✓	Senator Larry J. Robinson	✓	
Senator Tom Fischer	✓		Senator Tom Seymour	✓	
Senator Ralph L. Kitzer	✓		Senator Harvey Tallackson	✓	
Senator Karen K. Krebsbach	✓				
Senator Rich Wardner	✓				

Total (Yes) 13 No 1

Absent _____

Floor Assignment Lysen Robinson Amend Jud Lysen

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE

HB 1330, as amended, Appropriations Committee (Sen. Holmberg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HB 1330, as amended, was placed on the Sixth order on the calendar.

In addition to the amendments adopted by the Senate as printed on page 642 of the Senate Journal, House Bill No. 1330 is further amended as follows:

Page 2, line 9, remove "twenty-five"

Renumber accordingly

2007 HOUSE APPROPRIATIONS

CONFERENCE COMMITTEE

HB 1330

2007 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. HB 1330

House Appropriations Committee

Check here for Conference Committee

Hearing Date: April 13, 2007

Recorder Job Number: 5991

Committee Clerk Signature

Shelly N. Sand

Minutes:

Chm. Kempenich called the Conference Committee to order. Reps. Kempenich, Thoreson and Williams and Sens. Lyson, Olafson, and Fiebiger were present.

Chm. Kempenich: HB 1330 was money that was replacing Byrne Grant money and the Senate amended it.

Sen. Lyson: The amendments are simple – p. 2 line 9, remove “twenty-five.”

Chm. Kempenich: It brings it down about \$200,000.

Rep. Thoreson: Any particular reason that amount was removed?

Sen. Lyson: It seems to me that I heard from the Appropriations Committee that this was acceptable by the Attorney General.

Rep. Thoreson: I don't have any problem with it.

Chm. Kempenich: There probably is a good chance of some Byrne Grant money showing up down the road.

Sen. Lyson: I'm still concerned about the Attorney General's budget being cut in several other places.

Tom Trenbeath, Chief Deputy Attorney General approached the podium and explained that the Attorney General expressed no great concern in the reduction because of the change in

circumstances from the time we introduced the bill. It looks like in the end it's looking better for additional Byrne Grant funds to be restored.

Chm. Kempenich: You don't have a number yet?

Mr. Trenbeath: There are numbers being kicked around, but for me to make one, . . .

Chm. Kempenich: If that does show up, this is kind of not spent?

Mr. Trenbeath: Yes. It's a dollar for dollar exchange is what it will amount to.

Rep. Thoreson motioned that the House Accede to the Senate Amendments on HB 1330. Rep. Williams seconded the motion.

Mr. Trenbeath: The real reason I am here is not to express the Attorney General's acquiescence in the reduction in the potential funds, but to ask this committee to add an amendment that would allow us the \$45,000 funding for .5 FTE. The FTE already exists and is in place as a Grants Contract Administrator. Under the same terms that once we get money from the federal government to fund it, those would go away dollar for dollar. The .5 FTE amounts to \$45,000 and we'd ask you to include that in this bill if you would.

Chm. Kempenich: So you want a .5 FTE for \$45,000. Did we do this before? Was there somebody removed? How was this administered before?

Mr. Trenbeath: We do have a Grants and Contracts Officer in place. My understanding is that this program hadn't been administered because I don't believe we've been funded in the past since the Byrne Grants went away. So we're going to restore funding whether it's from state sources or federal sources, we're going to need to fund that FTE for administration purposes.

Rep. Thoreson: Would this bill be the proper place to do that or would that be something that could be addressed in the Attorney General's budget bill?

Chm. Kempenich: When you read the fiscal note "These monies will be granted to multijurisdictional drug task forces within the state and to pay for .4 FTE grants and contracts officer to administer these funds. The bill provides a continuing appropriation for this purpose." It looks like that's already in there.

Mr. Trenbeath: Inaudible . . . explain that as being an oversight. The original bill had as the fiscal note had the \$45,000 in it. It was \$1,045,000. I think that comment was held over after the reduction in funds (Ref. 5:21).

Chm. Kempenich: The fiscal note now reads \$845,000. So that's why I'm assuming that \$45,000 is still in there, unless the bill isn't reading right.

Mr. Trenbeath: I'm beginning to realize why they sent me down here. I would have to agree with you after looking at that. It looks as if the \$45,000 is included.

Chm. Kempenich: Roxanne?

Roxanne Woeste, Legislative Council: I apologize. This is not a bill I am familiar with.

Chm. Kempenich: I was reading the fiscal note earlier and I didn't think the only thing that changed was taking the \$25,000 out. It didn't look like any other language was changed. (Sidebar discussion). On page 2, Section 2, subsection 1, "The funds are appropriated as standing and continuing appropriation to the attorney general for the purpose of defraying the expenses and operating costs incurred by a multijurisdictional drug task force. . ." I wonder if that wouldn't cover the .5 FTE?

Sen. Lyson: It appears that it does.

Mr. Trenbeath: I agree but (inaudible) 2A (referring to the fiscal note) says \$100,000 per quarter . . . it's only later it seems to qualify that by saying it also includes (inaudible). It's cloudy on whether or not that \$45,000 is supposed to come out of \$100,000 or whether it's in addition.

Sen. Lyson: Was it the intent of the Appropriations Committee of the House to anticipate that the Byrne Grant was going to come and be able to take this \$45,000 out of this \$100,000?

Chm. Kempenich: I think that's what was talked about. Chm. Kempenich asked Rep. Carlisle to approach the podium.

Rep. Ron Carlisle, District 30: We added the amendment after the bill left the House and then we had gotten a little blurb from NCSL that said there's a possibility of Byrne Grant, I had the Senate Judiciary add that amendment. We didn't know about it until after, . . . it left the House with \$1,045,000. The Senate Judiciary added that amendment as soon as we found out there was the possibility of Byrne Grant funding.

Chm. Kempenich: We can make it more explicit. The money, according to the fiscal note, is here.

Mr. Trenbeath: It just appears that the bill limits it to \$100,000 per quarter.

Chm. Kempenich: So we'd need an amendment of an appropriation of \$45,000.

Mr. Trenbeath: That would be our request.

Chm. Kempenich: That would be per year or per biennium?

Mr. Trenbeath: Per year.

Chm. Kempenich: A \$90,000 biennium?

Mr. Trenbeath: I'm sorry. The information I have is that it is \$45,000 for the biennium.

Chm. Kempenich: We could accede to the Senate amendments and further amend.

Roxanne Woeste: Allen Knudson, the Attorney General Budget specialist with Legislative Council, let me know that they are looking at adding an additional FTE in the Attorney General's budget (SB 2003). Perhaps this Committee should postpone any further action and talk with the Conference Committee on SB 2003.

Rep. Thoreson: I am also on the Conference Committee with ITD and we're withholding action on that until everything is settled with the Attorney General's budget.

Mr. Trenbeath: Just for your information, that additional FTE is a specific FTE for the purposes for defending our existing power generation against the forces of evil in the Republic of Minnesota.

Chm. Kempenich: We can hold off until another meeting. I don't think we have a conflict; it's just the mechanics of it.

Rep. Thoreson withdrew his motion. Rep. Williams withdrew his second.

Chm. Kempenich adjourned the conference committee meeting.

2007 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. HB 1330

House Appropriations Committee

Check here for Conference Committee

Hearing Date: April 16, 2007

Recorder Job Number: "Click here to type Digital Recorder Job #"

Committee Clerk Signature



Minutes:

Chm. Kempenich called the Conference Committee on HB 1330 to order.

Chm. Kempenich: The question is how to clarify \$45,000 for the .5 FTE. There was talk about moving it into the budget.

Tom Trenbeath, Chief Deputy Attorney General: We talked about it in the Conference Committee on Friday on the budget bill. The fact of the matter is it started here. However you read the fiscal note it does contain \$45,000 for these purposes. How that should be reflected in the bill I'm not sure. It would seem to me you're at \$100,000 per quarter. If you wanted to add this then it would be \$105,625 per quarter. Then if you added language authorizing the expenditure for those purposes.

Chm. Kempenich: The purposes would be operating, Section 2, Subsection 1, lines 20-23.

Mr. Trenbeath: Yes.

Sen. Lyson: I sat on the Byrne Grant Board. The money is probably not coming in, so this will be an absolute necessity.

Chm. Kempenich: The fiscal note shows that the money is already there, we just need to get it worded right. \$45,000 is for .5 FTE.

Mr. Trenbeath: It adds \$5,625 per quarter on top of the \$100,000.

(Sidebar discussion)

Chm. Kempenich: Is there a motion to be made?

Rep. Thoreson: We had a motion at our last meeting dealing with the first issue. Should the House Accede to that first?

Chm. Kempenich: The House could accede to the Senate amendments and further amend.

Rep. Thoreson motioned that the House Accede to the Senate amendments on HB 1330.

Rep. Lyson seconded the motion.

Rep. Thoreson: For discussion, on page 2 the language "Starting July 1, 2007" where the amount \$100,000 is referenced we would increase that amount by \$5,625. So \$105,625.

Chm. Kempenich: We need to vote on the original . . .

Don Wolf, Legislative Council: I think the correct language though, because you're changing a section that was already changed by the Senate, you do have to recede and further amend.

Chm. Kempenich: Do you want to restate your motion?

Rep. Thoreson motioned that the Senate recede and from the Senate amendments and then we'll move to further amend. Rep. Williams seconded the motion. The motion carried by a roll call vote of 6 ayes, 0 nays and 0 absent and not voting.

Rep. Thoreson motioned to further amend the bill to reflect the amount on line 9 be \$105,625. Rep. Lyson seconded the motion.

Rep. Williams: This appropriation is not in any other budget?

Chm. Kempenich: Because if the money isn't, . . . correct me if I'm wrong Sen. Lyson, that position is currently funded by Byrne Grant money.

Sen. Lyson: That's correct.

Chm. Kempenich: If the money goes away, there is no money to fund this position.

Sen. Lyson: Without that money coming in, the Attorney General's going to have to find the money within his own budget to keep the position.

(Inaudible)

Rep. Williams: We are not sure completely that the Byrne Grant money is gone? We're just assuming it is?

Sen. Lyson: We're assuming that some money will come in. A very low rate compared to what it was last time. And in another bill there is a disclaimer that if Byrne Grants do come in the money will not be used.

Rep. Williams: That was my point.

Sen. Lyson: That is in another bill and I would think that would carry on over to this one.

Chm. Kempenich: Section 2, Subsection 2 addresses spending authority.

Rep. Thoreson: Don, we're o.k. without having to put further language?

Mr. Wolf: Yes.

Sen. Lyson: Because Congress just started again this morning, we probably won't know about this until we're recessed.

The motion to further amend carried by a roll call vote of 6 ayes, 0 nays and 0 absent and not voting.

Chm. Kempenich adjourned the meeting.

REPORT OF CONFERENCE COMMITTEE
(ACCEDE/RECEDE)

Bill Number 1330 (, as (re)engrossed): Date: 4/13/07

Your Conference Committee House Appropriations

For the Senate:

For the House:

	YES / NO	YES / NO
P <u>Sen. Lyson</u>		<u>Rep. Kempenick</u> P
P <u>Sen. Olafson</u>		<u>Rep. Thoreson</u> P
P <u>Sen. Friebiger</u>		<u>Rep. Williams</u> P

recommends that the (SENATE/HOUSE) (ACCEDE to) (RECEDE from)

the (Senate/House) amendments on (SJ/HJ) page(s) _____ -- _____

_____, and place _____ on the Seventh order.

_____, adopt (further) amendments as follows, and place _____ on the Seventh order:

_____, having been unable to agree, recommends that the committee be discharged and a new committee be appointed.

((Re)Engrossed) _____ was placed on the Seventh order of business on the calendar.

DATE: 4/13/07

CARRIER: _____

LC NO.	of amendment
LC NO.	of engrossment
Emergency clause added or deleted	
Statement of purpose of amendment	

MOTION MADE BY: Thoreson withdrawn

SECONDED BY: Rep. Williams

VOTE COUNT ___ YES ___ NO ___ ABSENT

REPORT OF CONFERENCE COMMITTEE
(ACCEDE/RECEDE)

Bill Number 1330 (, as (re)engrossed):

Date: 4/14/07

Your Conference Committee House Appropriations

For the Senate:

For the House:

	YES / NO		YES / NO			
P	<u>Sen. Lyson</u>	<input checked="" type="checkbox"/>		<u>Rep. Kempenich</u>	<input checked="" type="checkbox"/>	P
P	<u>Sen. Olafson</u>	<input checked="" type="checkbox"/>		<u>Rep. Johnson</u>	<input checked="" type="checkbox"/>	P
P	<u>Sen. Fiebriger</u>	<input checked="" type="checkbox"/>		<u>Rep. Williams</u>	<input checked="" type="checkbox"/>	P

recommends that the (SENATE/HOUSE) (ACCEDE to) (RECEDE from)

the (Senate/House) amendments on (SJ/HJ) page(s) 1404 --

_____, and place _____ on the Seventh order.

adopt (further) amendments as follows, and place 1330 on the Seventh order:

_____, having been unable to agree, recommends that the committee be discharged and a new committee be appointed.

((Re)Engrossed) _____ was placed on the Seventh order of business on the calendar.

DATE: 4/16/07

CARRIER: Rep. Kempenich

LC NO.	of amendment
LC NO.	of engrossment
Emergency clause added or deleted	
Statement of purpose of amendment	

MOTION MADE BY: Johnson

SECONDED BY: Williams

VOTE COUNT 6 YES 0 NO 0 ABSENT

REPORT OF CONFERENCE COMMITTEE
(ACCEDE/RECEDE)

Bill Number 1330 (, as (re)engrossed): Date: 4/16/07

Your Conference Committee House Appropriations

For the Senate:

For the House:

YES / NO		YES / NO	
<u>Sen. Lyson</u>	<input checked="" type="checkbox"/>	<u>Rep. Kempenich</u>	<input checked="" type="checkbox"/>
<u>Mr. Plafson</u>	<input checked="" type="checkbox"/>	<u>Rep. Thoreson</u>	<input checked="" type="checkbox"/>
<u>Sen. Fiebiger</u>	<input checked="" type="checkbox"/>	<u>Rep. Williams</u>	<input checked="" type="checkbox"/>

recommends that the (SENATE/HOUSE) (ACCEDE to) (RECEDE from)

the (Senate/House) amendments on (SJ/HJ) page(s) _____ -- _____

_____, and place _____ on the Seventh order.

_____, adopt (further) amendments as follows, and place _____ on the Seventh order:

_____, having been unable to agree, recommends that the committee be discharged and a new committee be appointed.

((Re)Engrossed) _____ was placed on the Seventh order of business on the calendar.

DATE: 4/16/07 Adopt Amendment.
CARRIER: _____

LC NO. _____	of amendment
LC NO. _____	of engrossment
Emergency clause added or deleted	
Statement of purpose of amendment <u>Section 1, Sub. ^{3c} 1c - #105,625</u>	

MOTION MADE BY: Thoreson

SECONDED BY: Lyson

VOTE COUNT 6 YES 0 NO 0 ABSENT

REPORT OF CONFERENCE COMMITTEE

HB 1330: Your conference committee (Sens. Lyson, Olafson, Fiebiger and Reps. Kempenich, Thoreson, Williams) recommends that the **SENATE RECEDE** from the Senate amendments on HJ page 1404, adopt amendments as follows, and place HB 1330 on the Seventh order:

That the Senate recede from its amendments as printed on page 1404 of the House Journal and pages 642 and 964 of the Senate Journal and that House Bill No. 1330 be amended as follows:

Page 2, line 9, replace "twenty-five" with "five" and after "thousand" insert "six hundred twenty-five"

Page 2, line 18, after the underscored boldfaced period insert:

"1."

Page 2, line 25, replace "1." with "a."

Page 2, line 27, replace "2." with "b."

Page 3, line 1, replace "3." with "c."

Page 3, after line 3, insert:

"2. If the attorney general receives federal funds in excess of the year 2006 level of Byrne grant funding that may be used to defray the expenses and operating costs incurred by a multijurisdictional task force during the 2007-09 biennium, the attorney general may seek emergency commission approval to receive and spend the additional federal funds but may not spend moneys from the funds appropriated by the legislative assembly to the extent of the additional federal funds received for this purpose for the biennium beginning July 1, 2007, and ending June 30, 2009."

Renumber accordingly

HB 1330 was placed on the Seventh order of business on the calendar.

2007 TESTIMONY

HB 1330

HOUSE BILL NO. 1330

House Bill No. 1330 authorizes the attorney general to establish a grant fund to assist in the payment of expenses and operating costs of a multijurisdictional task force.

Section 2 of this Bill defines a "multijurisdictional task force" as a law enforcement task force that is:

organized and created in this state by a written mutual aid or joint powers agreement;

comprised of persons who are employed, or acting under the authority of, different governmental entities, including federal, state, county, or municipal governments, or any combination of these agencies; and

operated and established to enhance and facilitate interagency coordination, acquisition of intelligence information, and investigations of controlled substance and other drug-related crimes.

The attorney general and the North Dakota Bureau of Criminal Investigation have been actively involved with the operation of several regional drug task forces consisting of state, municipal, and county law enforcement officers.

The task forces require coordination of investigations especially when drug transactions often cross city, county, or state jurisdictional boundaries and impact the law enforcement powers, duties, and the respective budgets of the participating agencies.

House Bill No. 1330 provides the attorney general, through the grant process, with the ability to assist local and state law enforcement agencies in defraying some of the cost and expense necessarily involved as a task force participant and to provide a vehicle to continue and more efficiently allow the cooperation and coordination of the various task forces.

The attorney general will establish guidelines for the receipt and disbursement of grant funds as well as the necessary accounting procedures to track and ensure the efficient use of the grant funds.

Section 1 of House Bill No. 1330 provides a continuing appropriation of \$125,000 each quarter in the biennium beginning July 1, 2007, derived from the lottery operating fund.

Section 3 of House Bill No. 1330 amends the attorney general assets forfeiture fund to permit the attorney general to receive money from the multijurisdictional task forces for deposit in the fund. These funds will be used as all other moneys received by this fund for drug investigation expenses as is currently authorized by North Dakota Century Code section 54-12-14, such as "buy money" and payment of overtime incurred by BCI agents in the investigation of drug cases.

Testimony to the
HOUSE JUDICIARY COMMITTEE

Prepared January 24, 2007 by the North Dakota Association of Counties
Aaron Birst, Legal Counsel

CONCERNING HOUSE BILL 1330

Chairman DeKrey and members of the Committee, the North Dakota Association of Counties and the State's Attorneys Association is here today to support House Bill 1330.

As a former criminal prosecutor, I have seen first hand how effective our multi-jurisdictional drug task forces are. These task forces are made up of some of the best law enforcement officers in the State. These are the men and women who put their lives at significant risk not only from offenders but also exposure to various drugs and chemicals used in the production of illegal drugs.

Usually, it is the drug force members who are the first into a home when executing a search warrant. Usually, it is the drug force members who put their lives directly on the line when conducting controlled buys from dangerous and unpredictable criminals. Because of this significant risk these people need all the resources possibly available to them.

Unfortunately, the Federal Government has scaled back and eliminated many of the programs that these task forces have relied on in the past. This will predictably result in scaled back efforts in drug enforcement which will directly reverse the trends that we have begun to see with such accomplishments of curtailing Methamphetamine production and use.

For the following reasons I urge that you support House Bill 1330.

Thank you.

HOUSE BILL NO. 1330

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Section 1 of House Bill No. 1330 provides a continuing appropriation of \$125,000 each quarter in the biennium beginning July 1, 2007, derived from the lottery operating fund.

The proposed amendment provides that if federal funds are received by the attorney general in excess of the year 2006 level of Byrne grant funding that may be used to defray the expenses and operating costs incurred by a multijurisdictional task force during the 2007-09 biennium, the attorney general may seek emergency commission approval to receive and spend the additional federal funds but may not spend moneys from the funds appropriated to the multijurisdictional task force grant fund to the extent of the additional federal funds received for this purpose.

Section 3 of House Bill No. 1330 amends the attorney general assets forfeiture fund to permit the attorney general to receive money from the multijurisdictional task forces for deposit in the fund. These funds will be used as all other moneys received by this fund for drug investigation expenses as is currently authorized by North Dakota Century Code section 54-12-14, such as "buy money" and payment of overtime incurred by BCI agents in the investigation of drug cases.

Numbers ref. Dollars (federal + match)

CY2006
Through March 31, 2006

CY2005

CY2004

Department Forfeiture Asset

Direct from

Department

Direct

Department

Direct

South Sakakawea Narcotics

Byrne/JAG

BJA

HIDTA

Funded

Byrne/JAG

from BJA

HIDTA

Funded

Byrne/JAG

HIDTA

Funded

		Byrne/JAG	BJA	HIDTA	Funded	Byrne/JAG	from BJA	HIDTA	Funded	Byrne/JAG	HIDTA	Funded
Personnel	Agencies picking up additional costs	\$130,000			\$48,000	\$191,690			\$48,000	\$190,716		
Overtime												
Operating	Agencies picking up operating expenses	\$21,173										
Supplies					\$500	\$2,500			\$500	\$2,000		
Rent					\$9,000	\$6,000			\$9,000	\$6,000		
Communications					\$4,800	\$8,200			\$4,800	\$8,160		
Fuel/Oil/Veh. Main.					\$3,600	\$11,800			\$3,600	\$9,400		
Contractual Serv.												
Equipment Lease/Rent					\$10,500	\$22,000			\$10,500	\$28,800		
Travel					\$500	\$3,500			\$500	\$2,000		
Training					\$500	\$1,500			\$500	\$500		
Other												
Confidential Funds										\$2,000		
Equipment												
Total Budget:		\$228,673.45	\$0	\$0	\$77,400	\$247,190	\$0	\$0	\$77,400	\$248,078	\$0	\$0

Stutsman County Narcotics

		Byrne/JAG	BJA	HIDTA	Funded	Byrne/JAG	from BJA	HIDTA	Funded	Byrne/JAG	HIDTA	Funded
Personnel	Did not refill one position	\$123,826				\$159,203				\$153,935		
Overtime												
Operating	Agencies picking up operating expenses				\$21,000							
Supplies		\$1,368				\$1,300				\$1,300		
Rent						\$3,144				\$3,144		
Communications		\$1,920				\$3,940				\$4,680		
Fuel/Oil/Veh. Main.										\$0		
Contractual Serv.												
Equipment Lease/Rent						\$11,064				\$14,328		
Travel						\$300						
Training						\$1,380				\$1,380		
Other						\$1,580						
Insurance on 4 vehicles												
Confidential Funds										\$8,000		
Equipment												
Total Budget:		\$148,114.00	\$0	\$0	\$21,000	\$181,911	\$0	\$0	\$0	\$184,767	\$0	\$0

AT 03

Department Forfeiture

Byrne/JAG

Direct from BJA

HIDTA

Department Funded

Byrne/JAG

Direct from BJA

HIDTA

Department Funded

Byrne/JAG

HIDTA

Department Funded

Turtle Mountain TF

Personnel	Tribe picking up additional costs	\$66,972			\$27,000		\$80,804			\$84,000			
Overtime													
Operating	Agencies picking up operating expenses				\$12,000								
Supplies							\$1,000			\$1,000			
Rent							\$1,000			\$1,000			
Communications							\$500			\$500			
Fuel/Oil/Veh. Main.													
Contractual Serv.							\$9,000			\$10,000			
Equipment Lease/Rent													
Travel													
Training													
Other													
Confidential Funds		\$5,000					\$5,000						
Equipment													
Total Budget:		\$110,971.70	\$71,972	\$0	\$0	\$39,000	\$97,304	\$97,304	\$0	\$0	\$0	\$0	\$0

Southeast Multi-County Ags

Personnel	SO & PD each picking up 1 person + additional costs	\$81,540			\$90,000		\$75,852			\$72,240			
Overtime													
Operating	Agencies picking up operating expenses				\$25,000								
Supplies							\$2,000			\$2,000			
Rent													
Communications							\$4,176			\$3,180			
Fuel/Oil/Veh. Main.							\$6,000			\$3,750			
Contractual Serv.													
Equipment Lease/Rent							\$18,400			\$9,600			
Travel							\$2,000			\$1,500			
Training													
Other													
Confidential Funds										\$3,500			
Equipment													
Total Budget:		\$198,538.78	\$81,540	\$0	\$0	\$115,000	\$108,428	\$108,428	\$0	\$0	\$0	\$0	\$0

Numbers refer to Dollars (federal + match)

CY2006
Through March 31, 2006

CY2005

CY2004

Department Funded or Asset Forfeiture	CY2006				CY2005				CY2004					
	Byrne/JAG	Direct from BJA	HIDTA	Department Funded	Byrne/JAG	Direct from BJA	HIDTA	Department Funded	Byrne/JAG	HIDTA	Department Funded			
Metro Area Narcotics TF														
Personnel				\$79,060	\$79,060				\$76,649	\$45,300				
Overtime			\$20,000				\$20,000			\$912				
Operating				\$2,068				\$23,595				\$9,264		
Supplies	\$2,500		\$6,290		\$2,000		\$2,946		\$2,000	\$3,608				
Rent			\$10,092		\$18,000		\$10,092		\$18,000	\$24,536				
Communications	\$8,000		\$1,920		\$6,000		\$3,120	\$5,923	\$8,000	\$1,063				
Fuel/Oil/Veh. Main.				\$2,183				\$6,433		\$2,170	\$6,522			
Contractual Serv.	\$500				\$1,280				\$1,280					
Equip. Maint & Sec. Alarm Contract														
Equipment Lease/Rent			\$8,800				\$6,600	\$27,648		\$20,841				
Travel					\$500		\$5,000		\$1,000	\$11,386				
Training			\$15,500		\$500					\$300				
Other								\$5,924						
Confidential Funds			\$30,000				\$15,000			\$20,000				
Equipment														
Total Budget:	\$184,713.00	\$11,000	\$0	\$90,402	\$83,311	\$172,098	\$109,340	\$0	\$62,756	\$69,523	\$254,832	\$106,029	\$130,117	\$17,786
Northwest Narcotics TF														
Personnel				\$84,000	\$84,000	\$112,297			\$109,404					
Overtime														
Operating				\$3,850	\$15,000									
Supplies						\$2,500			\$2,500					
Rent														
Communications						\$4,000			\$4,000					
Fuel/Oil/Veh. Main.						\$6,500			\$8,500					
Contractual Serv.														
Equipment Lease/Rent				\$17,000		\$17,000			\$17,000					
Travel						\$1,500			\$1,500					
Training														
Other														
Confidential Funds									\$8,000					
Equipment														
Total Budget:	\$203,850.20	\$104,850	\$0	\$0	\$89,000	\$143,797	\$143,797	\$0	\$0	\$0	\$148,904	\$148,904	\$0	\$0

Numbers of dollars (federal + match)

CY2006
Through March 31, 2006

CY2005

CY2005

Department or Asset
Forfeiture

Department or Asset Forfeiture	CY2006 Through March 31, 2006				CY2005				CY2005				
	Byrne/JAG	Direct from BJA	HIDTA	Department Funded	Byrne/JAG	Direct from BJA	HIDTA	Department Funded	Byrne/JAG	HIDTA	Department Funded		
Cass County Drug TF													
Personnel		\$136,000	\$48,600		\$136,000		\$9,600		\$136,000	\$26,135			
Overtime							\$1,030						
Operating								\$2,011					
Supplies		\$3,800		\$2,000	\$3,800			\$2,011	\$3,108				
Rent													
Communications		\$300		\$500	\$300		\$2,220	\$554	\$300	\$126			
Fuel/Oil/Veh. Main.		\$1,116		\$1,000	\$3,000		\$600	\$1,035	\$3,000	\$670			
Contractual Serv.													
Equipment Lease/Rent			\$6,600		\$8,600		\$7,200		\$8,600	\$1,485			
Travel		\$500			\$500				\$2,500				
Training				\$1,000				\$1,052		\$43,000			
Other													
Confidential Funds									\$10,000				
Equipment					\$1,600			\$27,551					
Total Budget:	\$201,416.00	\$0	\$141,716	\$55,200	\$175,450	\$154,800	\$0	\$20,650	\$32,202	\$235,922	\$184,505	\$71,416	\$0
Grand Forks Narcotics TF													
Personnel	\$118,048		\$97,200		\$111,718		\$51,048		\$111,718	\$59,784			
Overtime			\$20,000				\$19,377			\$7,091			
Operating	\$9,823			\$21,586									
Supplies			\$12,012		\$4,500		\$9,634		\$4,500	\$3,161			
Rent			\$33,132		\$19,700		\$60,315		\$19,600	\$70,409			
Communications			\$2,604		\$8,000		\$15,813		\$8,000	\$1,864			
Fuel/Oil/Veh. Main.					\$900				\$3,000	\$5,886			
Contractual Serv.													
Equipment Lease/Rent			\$18,800		\$41,200		\$91,123		\$41,200	\$16,930			
Travel			\$2,000				\$2,872		\$1,500	\$171			
Training			\$4,000		\$3,500								
Other													
Confidential Funds			\$35,000				\$35,000					\$15,000	
Equipment													
Total Budget:	\$375,203.40	\$127,869	\$0	\$225,748	\$474,700	\$189,518	\$0	\$285,182	\$0	\$389,814	\$189,518	\$180,296	\$0

Department Forfeiture	Byrne/JAG	Direct from		Department Funded	Department									
		Byrne/JAG	BJA		HIDTA	Byrne/JAG	Direct from BJA	HIDTA	Funded					
Ward County Narcotics TF														
Personnel														
Overtime														
2-PD & 1-SO plus any additional grant costs	\$45,908	\$38,558		\$140,000				\$84,000					\$84,000	
Operating														
Supplies	\$2,500			\$20,000				\$2,500					\$2,500	
Rent	\$13,500							\$13,500					\$13,500	
Communications	\$5,000							\$5,000					\$5,000	
Fuel/Oil/Veh. Main.	\$6,100							\$6,100					\$6,100	
Contractual Serv.														
Equipment Lease/Rent	\$24,000							\$24,000					\$24,000	
Travel	\$1,500							\$1,500					\$1,500	
Training														
Other														
Confidential Funds													\$7,000	
Equipment														
Total Budget:	\$297,064.00	\$98,506	\$38,558	\$0	\$160,000	\$136,600	\$136,600	\$0	\$0	\$0	\$143,600	\$143,600	\$0	\$0
BCI														
Personnel														
Overtime	\$105,000							\$262,570					\$235,578	
Operating														
Supplies	\$5,000							\$10,000					\$10,000	
Rent				\$48,129						\$48,129			\$48,129	
Communications	\$5,000							\$7,000					\$7,000	
Fuel/Oil/Veh. Main.	\$10,000							\$10,000					\$10,000	
Contractual Serv.														
Equipment Lease/Rent								\$20,000					\$20,000	
Travel	\$10,000													
Training														
Other	\$29,511							\$84,000					\$61,000	
AFIS Contract														
Confidential Funds	\$100,000			\$50,000				\$185,657		\$50,000			\$80,000	\$50,000
Equipment													\$5,400	
Body Transmitters														
Total Budget:	\$362,639.77	\$264,511	\$0	\$0	\$98,129	\$579,227	\$579,227	\$0	\$0	\$98,129	\$527,105	\$428,976	\$0	\$98,129
Total of All:	\$2,309,085.30	\$1,038,535	\$180,274	\$371,350	\$718,926	\$2,316,705	\$1,948,115	\$0	\$368,690	\$277,254	\$2,306,290	\$1,808,548	\$381,829	\$115,915

①

SUMMARY OF HOUSE BILL NO. 1330
Rep. Ron Carlisle
March 9, 2007

House Bill No. 1330 creates a multijurisdictional drug task force grant fund to be administered by the Attorney General.

This bill provides a continuing appropriation of \$125,000 each quarter beginning July 1, 2007, of funds derived from the net proceeds of the lottery operating fund.

House Bill No. 1330 also permits the Attorney General to receive funds from a multijurisdictional drug task force for deposit in the Attorney General's assets forfeiture fund.

Section 1 of House Bill No. 1330 transfers \$125,000 of net proceeds from the lottery operating fund each quarter to the Attorney General multijurisdictional drug task force grant fund.

Section 2 of House Bill No. 1330 establishes the Attorney General multijurisdictional drug task force grant fund and provides a continuing appropriation for the purpose of defraying the expense and operating costs incurred by a multijurisdictional drug task force.

A multijurisdictional drug task force, as defined in Section 2 of House Bill No. 1330, may apply for funding from the grant fund.

Section 2 requires the Attorney General to develop guidelines for the qualification for receipt of grant funds, the disbursement of grant funds, and the necessary accounting procedures for the use of the grant funds.

Under paragraph 2 of Section 2, should the state receive Byrne Grant funding greater than what was received in 2006, the Attorney General may get approval from the emergency commission to spend those funds but, then, may not spend the equivalent amount of state funds.

Section 3 of House Bill No. 1330 authorizes the Attorney General to receive funds that may be received from a multijurisdictional task force for deposit in the Attorney General's assets forfeiture fund. The Attorney General and the Bureau of Criminal Investigation are active participants in existing drug task forces throughout the state of North Dakota and has assigned its special agents to the task forces. The funds received from the multijurisdictional task force, upon deposit in the assets forfeiture fund, may be used for purposes currently authorized by N.D.C.C. § 54-12-14, including the payment of overtime to the Bureau of Criminal Investigation special agents and providing access to "buy money" to assist in obtaining evidence of criminal violations.

Section 4 of the bill declares the Act to be an emergency measure.

HOUSE BILL 1330
Testimony of Attorney General Wayne Stenehjem
March 9, 2007

House Bill 1330 authorizes the Attorney General to establish a grant fund to assist in the payment of expenses and operating costs of a multi-jurisdictional task force.

The bill is necessary to replace lost federal Byrne grant funds. The House amendment reflects the hope that the present political climate will result in the restoration of at least part of those grant funds.

Section 2 of this bill defines a "multi-jurisdictional task force" as a law enforcement task force that is:

- organized and created in this state by a written mutual aid or joint powers agreement;

- comprised of persons who are employed, or acting under the authority of, different government entities, including federal, state, county, or municipal governments, or any combination of these agencies; and

- operated and established to enhance and facilitate interagency coordination, acquisition of intelligence information, and investigations of controlled substance and other drug-related crimes.

The Attorney General and the North Dakota Bureau of Criminal Investigation have been actively involved with the operation of several regional drug task forces consisting of state, municipal, and county law enforcement officers.

The task forces require coordination of investigations especially when drug transactions often cross city, county, or state jurisdictional boundaries and impact the law enforcement powers, duties, and the respective budgets of the participating agencies.

House Bill 1330 provides the Attorney General, through the grant process, with the ability to assist local and state law enforcement agencies in defraying some of the cost and expense necessarily involved as a task

force participant and to provide a vehicle to continue and more efficiently allow the cooperation and coordination of the various task forces.

Section 1 of the bill provides a continuing appropriation of \$125,000 each quarter in the biennium beginning July 1, 2007, derived from the lottery operating fund.

The Attorney General will establish guidelines for the receipt and disbursement of grant funds as well as the necessary accounting procedures to track and ensure the efficient use of the grant funds.

If federal funds are received by the Attorney General in excess of the year 2006 level of Byrne grant funding that may be used to defray the expenses and operating costs incurred by a multijurisdictional task force during the 2007-09 biennium, the Attorney General may seek emergency commission approval to receive and spend the additional federal funds but may not spend monies from the funds appropriated to the multijurisdictional task force grant fund to the extent of the additional federal funds received for this purpose.

Section 3 of House Bill 1330 amends the attorney general assets forfeiture fund to permit the attorney general to receive money from the multijurisdictional task forces for deposit in the fund. These funds will be used as all other monies received by this fund for drug investigation expenses, as is currently authorized by North Dakota Century Code Section 54-12-14, such as "buy money" and payment of overtime incurred by BCI agencies in the investigation of drug cases.

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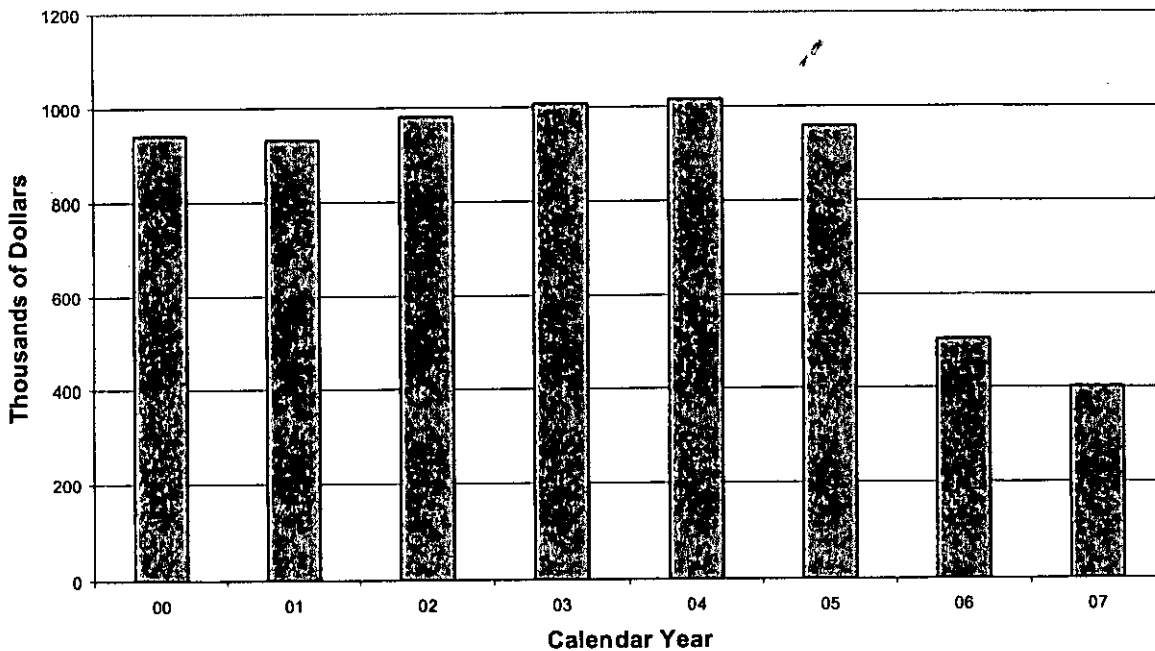
Testimony to the
SENATE APPROPRIATIONS COMMITTEE
Prepared March 9, 2007
By Terry Traynor, Assistant Director
North Dakota Association of Counties

REGARDING HOUSE BILL No. 1330

Chairman Holmberg and Committee members, the county commissioners of North Dakota are in complete agreement with the Sheriff's, deputies, and police chiefs of the State in support of HB1330.

As the attached chart indicates, the federal Drug & Violent Crime (Byrne) grant funds that North Dakota has received and made available for this important purpose have been dramatically cut back in the last two years as federal funds have been reduced. It has been proposed that the Byrne program take even greater reductions in the upcoming federal budget.

**Federal Byrne Grant Funding
Granted for Drug Enforcement Task Forces**



County and city budgets have already assumed the personnel costs associated with this important work, and what is sought in this bill is a way to continue the funding for the operational costs.

We hope that the Appropriations Committee will agree with this and give HB1330 a "Do Pass" recommendation.