

**STATEMENT OF PURPOSE OF AMENDMENT:****Senate Bill No. 2003 - Funding Summary**

	<b>Executive Budget</b>	<b>Final Legislative Action</b>	<b>Comparison To Executive Budget</b>
Attorney General			
Salaries and wages	\$21,344,055	\$22,450,741	\$1,106,686
Operating expenses	9,418,403	10,596,526	1,178,123
Capital assets	2,149,731	2,569,731	420,000
Grants	4,197,000	4,197,000	
Litigation fees	50,000	50,000	
Arrest and return of fugitives	10,000	10,000	
North Dakota lottery	4,048,402	3,930,589	(117,813)
Gaming commission	6,141	6,141	
Total all funds	<u>\$41,223,732</u>	<u>\$43,810,728</u>	<u>\$2,586,996</u>
Less estimated income	<u>18,294,523</u>	<u>19,359,694</u>	<u>1,065,171</u>
General fund	\$22,929,209	\$24,451,034	\$1,521,825
FTE	181.30	188.50	7.20
Bill Total			
Total all funds	\$41,223,732	\$43,810,728	\$2,586,996
Less estimated income	<u>18,294,523</u>	<u>19,359,694</u>	<u>1,065,171</u>
General fund	\$22,929,209	\$24,451,034	\$1,521,825
FTE	181.30	188.50	7.20

**Senate Bill No. 2003 - Attorney General - Senate Action**

	<b>Executive Budget</b>	<b>Senate Changes</b>	<b>Senate Version</b>
Salaries and wages	\$21,344,055	\$1,394,946	\$22,739,001
Operating expenses	9,418,403	590,904	10,009,307
Capital assets	2,149,731	4,261,225	6,410,956
Grants	4,197,000		4,197,000
Litigation fees	50,000		50,000
Arrest and return of fugitives	10,000		10,000
North Dakota lottery	4,048,402		4,048,402
Gaming Commission	6,141		6,141
Total all funds	<u>\$41,223,732</u>	<u>\$6,247,075</u>	<u>\$47,470,807</u>
Less estimated income	<u>18,294,523</u>	<u>617,854</u>	<u>18,912,377</u>
General fund	\$22,929,209	\$5,629,221	\$28,558,430
FTE	181.30	8.50	189.80

**Department No. 125 - Attorney General - Detail of Senate Changes**

	<b>Restores Administrative Positions<sup>1</sup></b>	<b>Restores Criminal History Project Positions<sup>2</sup></b>	<b>Adds Salary Increase Funding<sup>3</sup></b>	<b>Adds Salary Equity Funds<sup>4</sup></b>	<b>CJIS Funding Change<sup>5</sup></b>	<b>Authorizes Building Purchase<sup>6</sup></b>
Salaries and wages	\$221,010	\$164,159	\$172,232	\$496,885		
Operating expenses						(277,716)
Capital assets						1,998,000
Grants						
Litigation fees						
Arrest and return of fugitives						
North Dakota lottery						
Gaming Commission						
Total all funds	<u>\$221,010</u>	<u>\$164,159</u>	<u>\$172,232</u>	<u>\$496,885</u>	<u>\$0</u>	<u>\$1,720,284</u>
Less estimated income	<u>175,916</u>	<u>124,571</u>	<u>0</u>	<u>21,842</u>	<u>(261,916)</u>	<u>(155,864)</u>
General fund	\$45,094	\$39,588	\$172,232	\$475,043	\$261,916	\$1,876,148
FTE	2.00	2.00	0.00	0.00	0.00	0.00

	<b>Adds Funding for New Crime Lab Building<sup>7</sup></b>	<b>Adds Funding for Crime Lab Operations<sup>8</sup></b>	<b>Adds Funding for Rate Increases<sup>9</sup></b>	<b>Adds Funding for Operating Increases<sup>10</sup></b>	<b>Adds Horse Racing Auditor<sup>11</sup></b>	<b>Adds Training Funds<sup>12</sup></b>
Salaries and wages					\$60,988	
Operating expenses		62,599	66,097	77,776		15,000
Capital assets	2,263,225					
Grants						
Litigation fees						
Arrest and return of fugitives						
North Dakota lottery						
Gaming Commission						
Total all funds	\$2,263,225	\$62,599	\$66,097	\$77,776	\$60,988	\$15,000
Less estimated income	0	0	2,541	77,776	60,988	0
General fund	\$2,263,225	\$62,599	\$63,556	\$0	\$0	\$15,000
FTE	0.00	0.00	0.00	0.00	0.50	0.00

  

	<b>Adds Funding for Background Checks<sup>13</sup></b>	<b>Total Senate Changes</b>
Salaries and wages	\$279,672	\$1,394,946
Operating expenses	647,148	590,904
Capital assets		4,261,225
Grants		
Litigation fees		
Arrest and return of fugitives		
North Dakota lottery		
Gaming Commission		
Total all funds	\$926,820	\$6,247,075
Less estimated income	572,000	617,854
General fund	\$354,820	\$5,629,221
FTE	4.00	8.50

<sup>1</sup> An information technology network administrator and an account technician deleted in the executive budget are restored. Funding for the network administrator is from the lottery fund and 50 percent of the funding for the account technician is from the lottery fund with the remainder from the general fund.

<sup>2</sup> This amendment restores 2 FTE national criminal history improvement project positions deleted in the executive budget. The estimated income is from federal funds.

<sup>3</sup> Funding is added to provide the level of funding needed for the 4 percent annual state employee salary increases. The amount included in the executive budget was not calculated correctly.

<sup>4</sup> The salaries and wages line item is increased by \$496,885 to provide a total of \$1,150,885, of which \$1,118,122 is from the general fund for salary equity increases for attorneys and employees of the Crime Laboratory and Bureau of Criminal Investigation.

<sup>5</sup> The funding source for employees involved with the criminal justice information sharing (CJIS) project is changed from special funds from the Information Technology Department to the general fund.

<sup>6</sup> Funding for building lease payments is removed and funding is added for the Attorney General to purchase the Professional North Building which houses the Bureau of Criminal Investigation.

<sup>7</sup> Funding is added to allow the Attorney General to purchase land and construct a new Crime Laboratory building adjacent to the Bureau of Criminal Investigation building in north Bismarck. The \$2,263,225 from the general fund added in this amendment is in addition to the \$1,242,840 from the general fund included in the executive budget for additional costs of the Crime Laboratory renovation project and the \$3,632,691 of bond proceeds approved by the 2005 Legislative Assembly for the renovation project. Total funds provided for the land purchase and the design and construction of the new Crime Laboratory are \$7,138,756.

<sup>8</sup> Funding is added to provide a total of \$279,599 of additional operating costs associated with the new Crime Laboratory building and for Crime Laboratory inflationary increases.

<sup>9</sup> Provides additional funding for Information Technology Department telecommunications and data processing rate increases and PeopleSoft user fees.

<sup>10</sup> Adds funding from the Attorney General operating fund and refund fund for anticipated operating cost increases of the Legal, Consumer Protection, and Gaming divisions.

<sup>11</sup> Funding from the racing promotion fund is added for a .5 FTE auditor position to audit simulcast racing sites in accordance with provisions of Senate Bill No. 2209.

<sup>12</sup> Funding is added for the Attorney General to provide training to state's attorneys relating to the prosecution of sexually dangerous individuals.

<sup>13</sup> Funding is added for the Attorney General to do background checks as required by Senate Bill No. 2260.

### Senate Bill No. 2003 - Attorney General - House Action

	Executive Budget	Senate Version	House Changes	House Version
Salaries and wages	\$21,344,055	\$22,739,001	(\$964,041)	\$21,774,960
Operating expenses	9,418,403	10,009,307	187,735	10,197,042
Capital assets	2,149,731	6,410,956	(4,241,225)	2,169,731
Grants	4,197,000	4,197,000		4,197,000
Litigation fees	50,000	50,000		50,000
Arrest and return of fugitives	10,000	10,000		10,000
North Dakota lottery	4,048,402	4,048,402	(117,813)	3,930,589
Gaming Commission	6,141	6,141		6,141
Total all funds	\$41,223,732	\$47,470,807	(\$5,135,344)	\$42,335,463
Less estimated income	18,294,523	18,912,377	(321,349)	18,591,028
General fund	\$22,929,209	\$28,558,430	(\$4,813,995)	\$23,744,435
FTE	181.30	189.80	(4.80)	185.00

### Department No. 125 - Attorney General - Detail of House Changes

	Removes Vacant Positions <sup>1</sup>	Adds BCI Computer Forensics Position <sup>2</sup>	Removes CJIS Positions <sup>3</sup>	Adds Funding for Background Checks <sup>4</sup>	Reduces Salary Equity Funding <sup>5</sup>	Increases Salary Equity Funding <sup>6</sup>
Salaries and wages	(\$395,970)	\$104,572	(\$261,916)	\$68,146	(\$496,885)	\$79,000
Operating expenses		50,428		139,190		
Capital assets		20,000				
Grants						
Litigation fees						
Arrest and return of fugitives						
North Dakota lottery	(117,813)					
Gaming Commission						
Total all funds	(\$513,783)	\$175,000	(\$261,916)	\$207,336	(\$496,885)	\$79,000
Less estimated income	(513,783)	0	0	119,400	(21,842)	0
General fund	\$0	\$175,000	(\$261,916)	\$87,936	(\$475,043)	\$79,000
FTE	(4.30)	1.00	(2.00)	1.00	0.00	0.00

	<b>Removes Horse Racing Auditor<sup>7</sup></b>	<b>Changes Funding for New Crime Lab<sup>8</sup></b>	<b>Removes BCI Building Purchase<sup>9</sup></b>	<b>Reduces Crime Lab Operating Funds<sup>10</sup></b>	<b>Total House Changes</b>
Salaries and wages	(\$60,988)				(\$964,041)
Operating expenses			277,716	(279,599)	187,735
Capital assets		(2,263,225)	(1,998,000)		(4,241,225)
Grants					
Litigation fees					
Arrest and return of fugitives					
North Dakota lottery					(117,813)
Gaming Commission					
<b>Total all funds</b>	<b>(\$60,988)</b>	<b>(\$2,263,225)</b>	<b>(\$1,720,284)</b>	<b>(\$279,599)</b>	<b>(\$5,135,344)</b>
Less estimated income	(60,988)	0	155,864	0	(321,349)
<b>General fund</b>	<b>\$0</b>	<b>(\$2,263,225)</b>	<b>(\$1,876,148)</b>	<b>(\$279,599)</b>	<b>(\$4,813,995)</b>
FTE	(0.50)	0.00	0.00	0.00	(4.80)

<sup>1</sup> The following vacant FTE positions are removed:

<b>Position</b>	<b>FTE</b>	<b>General Fund</b>	<b>Other Funds</b>	<b>Total</b>
Assistant attorney general	(1.00)		(\$141,362)	(\$141,362)
Grants and contracts officer	(1.00)		(100,636)	(100,636)
Administrative assistant	(0.30)		(34,905)	(34,905)
High-intensity drug trafficking analyst	(1.00)		(119,067)	(119,067)
Lottery customer relations specialist	(1.00)		(117,813)	(117,813)
<b>Total</b>	<b>(4.30)</b>	<b>\$0</b>	<b>(\$513,783)</b>	<b>(\$513,783)</b>

<sup>2</sup> Funding is added for a criminal investigator for conducting criminal investigation computerized forensic investigations and examinations.

<sup>3</sup> This amendment removes 2 FTE criminal justice information sharing (CJIS) positions also included in the Information Technology Department (ITD) budget. A section is added clarifying the services that may be provided by ITD relating to the criminal justice information sharing system.

<sup>4</sup> Funding of \$87,936 from the general fund and 1 FTE is added to provide a total of 5 new FTE positions and \$442,756 from the general fund for the Attorney General to conduct background checks in accordance with provisions of Senate Bill No. 2260. A section of legislative intent is added that the Attorney General fill the FTE positions only as the workload is sufficient to justify filling the positions. Special funds are added to allow the Attorney General to collect and pay fees relating to FBI background checks. Senate Bill No. 2260 is anticipated to generate an additional \$618,120 of general fund revenues for the 2007-09 biennium and \$33,240 for the remainder of the 2005-07 biennium.

<sup>5</sup> Funding added by the Senate for salary equity increases for attorneys and employees of the Crime Laboratory and the Bureau of Criminal Investigation is removed.

<sup>6</sup> The salaries and wages line item is increased to provide additional salary equity funding for employees of the Crime Laboratory and Bureau of Criminal Investigation.

<sup>7</sup> The .5 FTE horse racing auditor position added by the Senate is removed.

<sup>8</sup> Additional funding added by the Senate to purchase land and construct a new Crime Laboratory in north Bismarck is removed. The Attorney General is authorized in Section 8 of the engrossed bill to spend \$3,280,722 of remaining bond proceeds and \$1,242,840 from the general fund is appropriated in Section 3 of the bill. The Attorney General may use this funding which totals \$4,523,562 for constructing a new Crime Laboratory building designed to allow for expansion on state land located near the current Crime Laboratory location. Sections are added authorizing the Attorney General to build on state land near the existing Crime Laboratory and providing that the Attorney General report to the Budget Section on the status of the project.

<sup>9</sup> Removes authorization and funding added by the Senate for the Attorney General to purchase the Professional North Building which houses the Bureau of Criminal Investigation. Funding is provided to continue to lease the building.

<sup>10</sup> Reduces funding added in the executive budget and the Senate version for additional Crime Laboratory operating costs resulting from inflation and the building expansion.

A section is added providing that if additional federal funds become available, the Attorney General may not spend general fund moneys appropriated for similar purposes.

A section is added identifying one-time funding included in the budget and providing for a report to the 61st Legislative Assembly on the agency's use of one-time funding.

### Senate Bill No. 2003 - Attorney General - Conference Committee Action

	Executive Budget	Senate Version	Conf. Com. Changes	Conf. Com. Version	House Version	Comparison to House
Salaries and wages	\$21,344,055	\$22,739,001	(\$288,260)	\$22,450,741	\$21,774,960	\$675,781
Operating expenses	9,418,403	10,009,307	587,219	10,596,526	10,197,042	399,484
Capital assets	2,149,731	6,410,956	(3,841,225)	2,569,731	2,169,731	400,000
Grants	4,197,000	4,197,000		4,197,000	4,197,000	
Litigation fees	50,000	50,000		50,000	50,000	
Arrest and return of fugitives	10,000	10,000		10,000	10,000	
North Dakota lottery	4,048,402	4,048,402	(117,813)	3,930,589	3,930,589	
Gaming Commission	6,141	6,141		6,141	6,141	
Total all funds	\$41,223,732	\$47,470,807	(\$3,660,079)	\$43,810,728	\$42,335,463	\$1,475,265
Less estimated income	18,294,523	18,912,377	447,317	19,359,694	18,591,028	768,666
General fund	\$22,929,209	\$28,558,430	(\$4,107,396)	\$24,451,034	\$23,744,435	\$706,599
FTE	181.30	189.80	(1.30)	188.50	185.00	3.50

### Department No. 125 - Attorney General - Detail of Conference Committee Changes

	Removes Vacant Positions <sup>1</sup>	Adds BCI Computer Forensics Position <sup>2</sup>	CJIS Funding Change <sup>3</sup>	Adds Funding for Background Checks <sup>4</sup>	Adds Funding for 2005-07 Background Checks <sup>5</sup>	Reduces Salary Equity Funding <sup>6</sup>
Salaries and wages	(\$254,608)	\$104,572		\$68,146	\$16,515	(\$496,885)
Operating expenses		50,428		139,190	77,885	
Capital assets		20,000				
Grants						
Litigation fees						
Arrest and return of fugitives						
North Dakota lottery	(117,813)					
Gaming Commission						
Total all funds	(\$372,421)	\$175,000	\$0	\$207,336	\$94,400	(\$496,885)
Less estimated income	(372,421)	0	261,916	119,400	59,400	(21,842)
General fund	\$0	\$175,000	(\$261,916)	\$87,936	\$35,000	(\$475,043)
FTE	(3.30)	1.00	0.00	1.00	0.00	0.00

	Increases Salary Equity Funding <sup>7</sup>	Adds Administrative Funds <sup>8</sup>	Changes Funding for New Crime Lab <sup>9</sup>	Removes BCI Building Purchase <sup>10</sup>	Adds Funding for Existing Crime Lab Operating Costs <sup>11</sup>	Total Conference Committee Changes
Salaries and wages	\$229,000	\$45,000				(\$288,260)
Operating expenses				277,716	42,000	587,219
Capital assets			(1,863,225)	(1,998,000)		(3,841,225)
Grants						
Litigation fees						
Arrest and return of fugitives						
North Dakota lottery						(117,813)
Gaming Commission						
Total all funds	\$229,000	\$45,000	(\$1,863,225)	(\$1,720,284)	\$42,000	(\$3,660,079)
Less estimated income	0	45,000	200,000	155,864	0	447,317
General fund	\$229,000	\$0	(\$2,063,225)	(\$1,876,148)	\$42,000	(\$4,107,396)
FTE	0.00	0.00	0.00	0.00	0.00	(1.30)

<sup>1</sup> The following vacant FTE positions are removed (the House had removed 4.30 vacant FTE positions):

<b>Position</b>	<b>FTE</b>	<b>General Fund</b>	<b>Other Funds</b>	<b>Total</b>
Grants and contracts officer	(1.00)		(\$100,636)	(\$100,636)
Administrative assistant	(0.30)		(34,905)	(34,905)
High-intensity drug trafficking analyst	(1.00)		(119,067)	(119,067)
Lottery customer relations specialist	<u>(1.00)</u>		<u>(117,813)</u>	<u>(117,813)</u>
Total	(3.30)		(\$372,421)	(\$372,421)

<sup>2</sup> Funding is added for a criminal investigator for conducting criminal investigation computerized forensic investigations and examinations, the same as the House version.

<sup>3</sup> This amendment provides funding from funds received from the Information Technology Department for 2 FTE criminal justice information sharing (CJIS) positions. The Senate version provided funding from the general fund for these positions and the House removed the positions and funding. The section added by the House clarifying the services that may be provided by ITD relating to the criminal justice information sharing system is replaced with a section authorizing the CJIS board to hire a director position and to contract with BCI for federal fingerprint identification processing.

<sup>4</sup> Funding of \$87,936 from the general fund and 1 FTE is added to provide a total of 5 new FTE positions and \$442,756 from the general fund for the Attorney General to conduct background checks in accordance with provisions of Senate Bill No. 2260. A section of legislative intent is added that the Attorney General fill the FTE positions only as the workload is sufficient to justify filling the positions. Special funds are added to allow the Attorney General to collect and pay fees relating to FBI background checks. The House also made these changes.

<sup>5</sup> Funding is added with an emergency clause relating to costs of conducting background checks for the remainder of the 2005-07 biennium, in accordance with provisions of Senate Bill No. 2260.

<sup>6</sup> Funding added by the Senate for salary equity increases for attorneys and employees of the Crime Laboratory and the Bureau of Criminal Investigation is removed, the same as the House version.

<sup>7</sup> The salaries and wages line item is increased to provide additional salary equity funding for employees of the Attorney General's office. The House had added \$79,000 from the general fund for additional salary equity increases for employees of the Crime Laboratory and Bureau of Criminal Investigation.

<sup>8</sup> Funding from the multijurisdictional task force grant fund created by House Bill No. 1330 is provided for salaries and wages relating to the administration of the multijurisdictional grant program.

<sup>9</sup> Additional funding added by the Senate to purchase land and construct a new Crime Laboratory in north Bismarck is removed. The Attorney General is authorized in Section 8 of the engrossed bill to spend \$3,280,722 of remaining bond proceeds and \$1,642,840, of which \$1,442,840 is from the general fund and \$200,000 of other funds, except that the other funds may not be from the Attorney General refund fund, is appropriated in Section 3 of the bill. The Attorney General may use this funding, which totals \$4,923,562 for constructing a new Crime Laboratory building designed to allow for expansion on state land located near the current Crime Laboratory location. Sections are added authorizing the Attorney General to build on state land near the existing Crime Laboratory and providing that the Attorney General report to the Budget Section on the status of the project. The amounts provided are \$400,000 more, \$200,000 of which is from the general fund, than the funding provided by the House. The conference committee also added language authorizing the Attorney General to move the State Department of Health's storage building from the site if necessary to allow for the building construction.

<sup>10</sup> Authorization and funding added by the Senate for the Attorney General to purchase the Professional North Building which houses the Bureau of Criminal Investigation is removed, the same as the House version. Funding is provided to continue to lease the building, the same as the House version.

<sup>11</sup> The conference committee appropriated \$42,000 from the general fund for operating costs of the existing crime lab facility for the last nine months of the 2007-09 biennium. This funding may be used only for operating costs of this facility during the period of time it is unoccupied.

A section is added providing that if additional federal funds become available, the Attorney General may not spend general fund moneys appropriated for similar purposes, the same as the House version.

A section is added identifying one-time funding included in the budget and providing for a report to the 61st Legislative Assembly on the agency's use of one-time funding. The House added a similar section.

Sections are added by the conference committee which:

- Allow the Attorney General to retain the June 30, 2007, balance in the Attorney General refund fund rather than transferring the balance to the general fund.
- Provide for a sobriety program pilot project.
- Provide legislative intent that Facility Management develop a plan for the existing Crime Laboratory space when the new Crime Laboratory is completed.

Funding provided by the Senate but removed by the House for a .5 FTE horse racing auditor position is included in the conference committee version.

Funding of \$279,599 is included for additional Crime Laboratory operating costs resulting from inflation and the building expansion. This amount was included in the executive budget and the Senate version, but was removed by the House.