

MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

1160

2001 HOUSE APPROPRIATIONS

HB 1160

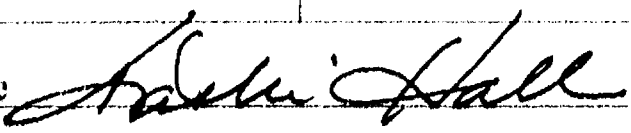
2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1160

House Appropriations Committee
Government Operations Division

☒ Conference Committee

Hearing Date January 16, 2001

Tape Number	Side A	Side B	Meter #
01-16-01 tape #1	-	0 - 1321	
01-16-01 tape #1	-	2540 - 4290	
Committee Clerk Signature 			

Minutes:

The committee was called to order, and opened the hearing on HB 1160. All present except Rep. Carlisle, who is appearing at another hearing, and will return shortly. The Title was read : A bill for an Act to amend and reenact subsection 3 of section 62.1-04-03 of the North Dakota Century Code, relating to the disposition of fees for concealed weapons licenses.

Bob Helten: Manager of Information Services in the Bureau of Criminal Investigation, a division within the Office of the Attorney General. He had prepared testimony. He appeared on behalf of the Bureau of Criminal Investigation in favor of HB 1160. The fee for a concealed weapons license is \$25.00 with \$10 credited to the state general fund, and \$15 going to the attorney general's operating fund. The fee is in part to allow those benefiting from the license to pay for the cost of administering the license. The administration costs have increased, along with the increase in licenses issued. It is estimated that in this current biennium the direct costs for licensing will be \$61,342, with revenues from licensing being \$102,500, with \$61,500 to be

credited to the special fund for operations. It is estimated for the next biennium that costs will be approximately \$75,208, revenues from licensing to be \$123,750, with \$74,250 going to the special fund. However, subsection 3 of section 62.1-04-03 of the NDCC restricts the amount of funds that can be used from the special funds for operations to \$50,000, each biennium. The differences then of \$11,342 this biennium, and \$25,208 in the next biennium, have to be found and made up from the Attorney General's total appropriation. In order to pay for the total costs of the concealed weapons permit program for this biennium, the office has had to reduce training assistance we provide to law enforcement agencies.

It is believed that by removing the \$50,000 restriction the actual expenditures can be paid from the special fund to track with revenues generated by the \$15 portion of the fee. As the number of licenses increase, so do the costs and revenues. If the costs and revenues do not track closely, and either a deficit or surplus occurs, this can be revisited. Support for the bill is urged.

(An addendum to Mr. Helten's testimony was later provided that gave the committee a history of new, renewal, and total licenses. It also listed the revenue and current licenses issued, for the years 1992 through 2000).

Chairman Byerly: Has the current Attorney General seen and approved this bill?

Response: Sandi Tabor, his assistant, has, and I assume that she has reviewed this with him.

Rep. Huetter: Define a concealed weapon for me. I thought I knew, but I am not so sure I do.

Response: A concealed weapons is not necessarily a firearm, there are other types of weapons that can be in that class, but most often a firearm, and most often a handgun. The concealed weapon permit allows you to carry that handgun concealed which could be in a

holster, in a vehicle glove compartment. Carried out in the open is permissible without a concealed weapons permit.

Rep. Skarphol: It appears that you are anticipating a rather substantial increase in the number of applications in the next biennium. Is there any reason for this.

Response: We have been having a constant increase since 1993, but even more so in 1994, 1995 because of the Brady Act, where a background check needs to be done before purchasing a weapon. This has caused a lot of persons to seek a concealed weapons permit, because with this permit, you have a background check done, but it is good for 3 years, so if you want to purchase a weapon during that period, you can do so without having the background check done again. This has increased the number of permits issued.

Rep. Skarphol: You seem to be suggesting a 16% increase, is that the case in the last cycle.

Response: I don't know if there is a 16% increase in the revenue, but that would track pretty close to the number of permits. Keep in mind that there are both new and renewal applications. As the number existing permits goes up, the number of renewals goes up. And when you look at the various years, sometimes new applications are up, sometimes renewals are more.

Rep. Koppelman: Are you proposing to raise the fee, or just to get rid of the restriction?

Response: We are proposing to remove the \$50,000 restriction, and not to raise the fee.

Rep. Glasshelm: How do we know the cost of doing this and whether or not there will be a surplus or not. Is there some clear way of tracking just the costs of this permit.

Response: I do not have these numbers for you. You could just set a fixed amount of costs of issuing a permit. We have been trying in our office to split some of the cost with other functions. This function has not been paying a portion of the office space, and we would like to

do so. We have increased the cost projections of \$5,000 to cover some of that office space.

There are a lot of other indirect costs, like use of copy machines, mail meter machines, covered all by the office right now.

Rep. Glassheim: Right now aren't the costs tracking at about the same rate as the \$15 put into the fund for expenses.

Response: Yes, actually they are right now, but that may not stay that way for long. We are just lucky right now.

Rep. Skarphol: Still puzzled as to the special fund award, and the office can only have \$50,000, right?

Response: The special fund moneys limited to \$50,000 can be used to pay costs of issuing the license. The limit was set at the 1995 session, it is thought. The costs have risen, but the limit is still there. It is anticipated now that the costs will be over \$60,000 and the difference has to be found elsewhere in the budget.

Rep. Skarphol: Where does the difference of what you earn on the \$15 fee, and the \$50,000 limit go?

Response: Into the general fund.

(Chairman Byerly explains to the committee where this money goes, into which fund).

Rep. Koppelman: Why propose eliminating the ceiling, why not request the limit to be raised to the costs?

Response: That is true, and they could set a figure, and if they did so, they would probably be back each session to adjust the figure again. If that is acceptable, that is fine. We made the current proposal because expenses were tracking revenues pretty consistently.

Chairman Byerly: I would assume that new applications take longer to process than renewals.

The renewals should not take as much time as the originals.

Response: That is correct, the fingerprints are done only the first time around, and there is not as much involvement with a renewal as there is with a new application.

Chairman Byerly: If you take the number of revenue coming in, and divide by \$25, it looks like the rate is going up. What percentage of those are renewals versus new applications.

I can give you a figure on that for the last few years:

	New	Renewal
Year 2000	462	1635
Year 1999	551	955
Year 1998	604	1083

Rep. Koppelman: Requested that the committee be given a written list of these numbers.

(An addendum to Mr. Helten's testimony was later provided that gave the committee a history of new, renewal, and total licenses. It also listed the revenue and current licenses issued, for the years 1992 through 2000).

The chairman closed the hearing on this bill.

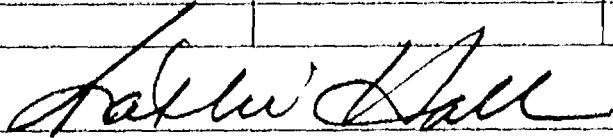
2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1160

House Appropriations Committee
Government Operations Division

☐ Conference Committee

Hearing Date January 16, 2001

Tape Number	Side A	Side B	Meter #
01-16-01 tape #1	-	2540-1290	
Committee Clerk Signature 			

Minutes:

The committee was called to order, and opened the committee work hearing on HB 1160.

Chairman Byerly: The only information that we have is what he read us for the last 3 years.

Rep. Koppelman: My thought is that I would prefer to raise the ceiling rather than an elimination of the ceiling. I have noted that we - the legislature- have been careful about what gets squirreled away in a special fund rather than put back into the general fund. I would not be opposed to raise the ceiling if the costs are actually higher. I would like to see this set at about \$60,000 or \$65,000.

Rep. Glassheim: I thought that originally, too, which is why I questioned him on that.

Chairman Byerly: offers some other options to explore - one option may be to offer less of the fee, but have no cap

Rep. Glassheim: Comments that there is some accounting issues as to how direct and indirect costs are allocated. He runs a small agency, and you can move these things around.

Page 2

Government Operations Division

Bill/Resolution Number HB 1160

Hearing Date January 16, 2001

Chairman Byerly: States that he is happy that they did not seek to raise the fees. Notes that the fees are the same for new and renewal applications. The new ones take more time than the renewals. The renewals are much simpler to process.

(general committee discussion as to various options that could be addressed).

Chairman Byerly: States that he is uncomfortable with removing the limitation.

Rep. Koppelman: Moves to keep the current statute but to amend the limitation to \$65,000.

Rep. Carlisle: Second.

(more general discussion as to what this would do by the committee)

Rep. Glassheim: Moved to substitute the limitation of the amendment to \$75,000.

Motion failed due to no second.

(more general discussion as to what the amendment limitation would do)

On a voice vote of the first motion to amend, the motion passed, 6 yes, 1 no.

Rep. Skarphol: Moved DO PASS AS AMENDED.

Rep. Thoreson: Second.

A vote was taken on the motion, the motion passed 7 yes, 0 no.

Rep. Skarphol is assigned to carry this bill to the full committee.

The chairman closed the hearing on this bill.

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB1160

House Appropriations Committee

☐ Conference Committee

Hearing Date January 26, 2001

Tape Number	Side A	Side B	Meter #
HB1160	X		1204 - 1640
Committee Clerk Signature			

Minutes:

ACTION ON HB1160.

Rep. Bob Skarphol: What HB1160 seeks to do is to help the attorney general's office and redistribute the fee for concealed weapons in order to more adequately pay the cost to his office for administering this. In the past there has been a \$25 fee, and were not changing the amount of the fee, just the distribution of that fee. In the past \$10 went to the general fund and \$15 dollars went to the attorney general's office up to a cap of \$50,000 to cover the cost processing these concealed weapons license and what the attorney general's office asked for was the removal of the cap and with the numbers they indicate of the licenses that they process they were beginning to lose money on this at \$15 dollars. And rather than fully remove the cap, what our committee did was amend the bill to raise the cap to \$65,000 verses \$50,000, the excess funds above the \$65,000 will go to the general fund and the consensus of our committee was is that we are going to pay for it with general funds one way or another, but we wanted to be able to monitor the

situation a little bit, so we did this for two more years and two years from now if we see that they need additional revenue we can raise the cap. The numbers of permits or licenses that they issue has significantly increased over the years and the total numbers since 92 is 746, 93 was 707, and 94 was 2002, 95 was 1566, and a license is good for three years and about a 3 to 1 ratio of renewals to new applicants and we kind of felt that the renewals should cost less than new applicants, and we tried to want to keep some pressure on them to do this as efficiently as possible and therefore we recommended that we amend it to \$65,000 for the next biennium.

Rep. Mike Timm: Any questions of Rep Skarphol?

Rep. James Kerzman: Is there any in there for the counties, when you go to the sheriff to register your weapon, do they get anything out of that?

Rep. Bob Skarphol: No I don't believe so.

Rep. David Monson: If I'm not mistaken I think they do cover their costs. They charge the person when you go in to get your fingerprints they have their own little fee that they have to do. I don't think it comes out of here but the counties can do whatever they want I believe.

Rep. Rex Byerly: As a holder of a concealed weapons permit, yes. They charge you for the fingerprints and you have to take a test and they charge you for administering the test both the written and the shooting test and you pay for your fingerprints. So there is no hit on any county or anything like that. The fee that goes to the state is BCI keeps track of those concealed weapons permits, that's where it's all on file.

Rep. Mike Timm: Any other questions? Rep Skarphol do you wish to move the amendments?

Rep. Skarphol: Yes, I would move the amendment number 18217.0101. Seconded by Carlisle.

Any Discussion? All those in favor of adopting that amendment say AYE. Unanimous Aye.

Motion carried.

Page 3

House Appropriations Committee

Bill/Resolution Number HB1160

Hearing Date January 26, 2001

Rep. Bob Skarphol: I would move HB1160 as amended. Seconded by Byerly. Any discussion?

If not, clerk will call the roll. YES - (20) NO - (0) ABSENT (1)

Motion passes. Rep Skarphol will carry the bill to the House Floor.

END OF ACTION ON HB1160.

FISCAL NOTE
 Requested by Legislative Council
 03/02/2001

Bill/Resolution No.:

Amendment to: Engrossed
 HB 1160

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.*

	1999-2001 Biennium		2001-2003 Biennium		2003-2005 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues			\$0	\$0	\$0	\$25,000
Expenditures			\$208	\$25,000	\$7,728	\$25,000
Appropriations			\$208	\$25,000	\$7,728	\$25,000

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

1999-2001 Biennium			2001-2003 Biennium			2003-2005 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts

2. Narrative: *Identify the aspects of the measure which cause fiscal impact and include any comments relevant to your analysis.*

Issuance of Concealed Weapons permits is a service to citizens of the State who wish to carry a concealed weapon. The fee is being used to offset the costs of that service. As the costs for providing the service increases, the \$50,000 limit set by statute in 1995 on the amount of other funds that could be used for the program fell short of what is needed to operate the program. Actual expenditures for the 2001-03 biennium are expected to be \$75,208. Revenue from the \$15 portion of the \$25 fee, which goes to the Attorney General's operating fund, is expected to be \$74,250, almost matching the expected expenditures. As the cost of administering the program increases, the legal spending limit is not automatically adjusted upward. Increasing the limit to \$75,000 provides the funding necessary to pay the salary, benefits, and most of the actual operating costs for the concealed weapons permit program.

Although the impact to General Fund revenue is reduced when compared to current law, the Executive Recommendation anticipated this change, so no General Fund revenue impact is reflected.

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.*

Estimates for the 1999-2001 biennium are that 4,100 new and renewed permits will be issued, yielding \$41,000 in General Fund revenues, and \$61,500 in other funds revenues. For the 2001-2003 biennium, 4,950 new and renewed permits are anticipated, resulting in \$49,500 in General Fund revenues from the \$10

share of the fee, and \$74,250 in other funds from the \$15 share of the fee. The \$74,250 in other funds revenues has been included in the executive budget. A ten percent increase in the number of permits is estimated for the 2003-2005 biennium, raising the number of new and renewed permits to 5,400. Revenues are estimated to be \$54,000 for the General Fund, and \$81,000 in other funds.

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.*

Expenditures include salary and benefits for one FTE and operating costs for mailing, laminating, telephone, computer equipment, and other expenses. In the 1999-2001 biennium, those actual costs are estimated to be \$61,342. The other funds appropriation was limited to \$50,000. In the 2001-2003 biennium, expenses are expected to increase to \$75,208, part of which is the addition of \$5,000 for a share of office space and services. Expenditures are projected to increase to \$82,728 for the 2003-2005 biennium.

C. Appropriations: *Explain the appropriation amounts. Provide detail, when appropriate, of the effect on the biennial appropriation for each agency and fund affected and any amounts included in the executive budget. Indicate the relationship between the amounts shown for expenditures and appropriations.*

The 2001-03 biennium executive budget includes utilizing the total estimated other funds concealed weapon revenues (\$74,250) which is beyond the \$50,000 limit imposed by current statute. Authorization to spend up to \$75,000 in other funds revenues is necessary to meet expenses.

Name:	Robert J. Helten/Kathy Roll	Agency:	Office of Attorney General
Phone Number:	701-328-5500	Date Prepared:	03/09/2001

FISCAL NOTE

Requested by Legislative Council
02/02/2001

REVISION

Bill/Resolution No.:

Amendment to: HB 1160

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.*

	1999-2001 Biennium		2001-2003 Biennium		2003-2005 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues			(\$15,000)		(\$15,000)	
Expenditures				\$25,208		\$32,728
Appropriations				\$25,208		\$31,000

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

1999-2001 Biennium			2001-2003 Biennium			2003-2005 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts

2. **Narrative:** *Identify the aspects of the measure which cause fiscal impact and include any comments relevant to your analysis.*

Issuance of Concealed Weapons permits is a service to citizens of the State who wish to carry a concealed weapon. The fee is being used to offset the costs of that service. As the costs for providing the service increase, the \$50,000 limit set by statute in 1995 on the amount of other funds that can be used for the program, and the \$65,000 limit established by amendment to HB1160, fall short of what is needed to operate the program. Actual expenditures for the 2001-03 biennium are expected to be \$75,208. Revenue from the \$15 portion of the \$25 fee, which goes to the Attorney General's operating fund, is expected to be \$74,250, almost matching the expected expenditures. As the number of permits increases, the operating costs increase.

As the cost of administering the program increases, the legal spending limit is not automatically adjusted upward. Removing the limit provides appropriate flexibility in using these moneys to pay the salary, benefits, and most of the actual operating costs.

In order to pay for the total costs of the concealed weapons permit program for this biennium, this office has had to reduce the law enforcement criminal issues training and

related expenses from the level provided in the 1997-99 biennium. This training is essential to providing local law enforcement with the tools needed to better perform their responsibilities. For this reason, there is no impact shown to the General 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.*

Estimates for the 1999-01 biennium are that 4,100 new and renewed permits will be issued, yielding \$41,000 in General Fund revenues, and \$61,500 in other funds revenues. For the 2001-03 biennium, 4,950 new and renewed permits are anticipated, resulting in \$49,500 in General Fund revenues from the \$10 share of the fee, and \$74,250 in other funds from the \$15 share of the fee. The \$74,250 in other funds revenues has been included in the executive budget.

A ten percent increase in the number of permits is estimated for the 2003-05 biennium, raising the number of new and renewed permits to 5,400. Revenues are estimated to be \$54,000 for the General Fund, and \$81,000 in other funds.

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.*

Expenditures include salary and benefits for one FTE and operating costs for mailing, laminating, telephone, data processing, and other expenses. In the 1999-01 biennium, those expenditures were estimated to be \$61,342. The other funds appropriation was limited to \$50,000. In the 2001-03 biennium, expenses are expected to increase to \$75,208, part of which is the addition of \$5,000 for a share of office space and services. Expenditures are projected to increase to \$82,728 for the 2003-05 biennium.

C. **Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, of the effect on the biennial appropriation for each agency and fund affected and any amounts included in the executive budget. Indicate the relationship between the amounts shown for expenditures and appropriations.*

The 2001-03 biennium executive budget includes utilizing the total estimated other funds concealed weapon revenues (\$74,250) which is beyond the \$50,000 limit imposed by current statute, and beyond the \$65,000 limit established by amendment to HB1160, to meet the permit program expenses.

Name:	Robert J. Hellen/Kathy Roll	Agency:	Office of Attorney General
Phone Number:	701-328-5500	Date Prepared:	02/09/2001

FISCAL NOTE
Requested by Legislative Council
01/31/2001

Bill/Resolution No.:

Amendment to: HB 1160

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.*

	1999-2001 Biennium		2001-2003 Biennium		2003-2005 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues						
Expenditures				\$25,208		\$32,728
Appropriations				\$25,208		\$31,000

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

1999-2001 Biennium			2001-2003 Biennium			2003-2005 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts

2. Narrative: *Identify the aspects of the measure which cause fiscal impact and include any comments relevant to your analysis.*

Issuance of Concealed Weapons permits is a service to citizens of the State who wish to carry a concealed weapon. The fee is being used to offset the costs of that service. As the costs for providing the service increase, the \$50,000 limit set by statute in 1995 on the amount of other funds that can be used for the program, and the \$65,000 limit established by amendment to HB1160, fall short of what is needed to operate the program. Actual expenditures for the 2001-03 biennium are expected to be \$75,208. Revenue from the \$15 portion of the \$25 fee, which goes to the Attorney General's operating fund, is expected to be \$74,250, almost matching the expected expenditures. As the number of permits increases, the operating costs increase.

As salaries increase, the salary paid from these moneys is not automatically adjusted upward within the \$50,000 limit. Removing the limit provides appropriate flexibility in using these moneys to pay most of the actual operating costs.

In order to pay for the total costs of the concealed weapons permit program for this biennium, this office has had to reduce the law enforcement criminal issues training and related expenses from the level provided in the 1997-99 biennium. This training is essential to providing local law enforcement with the tools needed to better perform their

responsibilities. For this reason, there is no impact shown to the General 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.*

Estimated for the 1999-01 biennium are that 4,100 new and renewed permits will be issued, yielding \$41,000 in general fund revenues, and \$61,500 in other funds revenues. For the 2001-03 biennium, 4,950 new and renewed permits are anticipated, resulting in \$49,500 in General Fund revenues from the \$10 share of the fee, and \$74,250 in other funds from the \$15 share of the fee. The \$74,250 in other funds revenues has been included in the executive budget.

A ten percent increase in the number of permits is estimated for the 2003-05 biennium, raising the number of new and renewed permits to 5,400. Revenues are estimated to be \$54,000 for the General Fund, and \$81,000 in other funds.

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.*

Expenditures include salaries and wages for one FTE and operating costs for mailing, laminating, telephone, data processing, and other expenses. In the 1999-01 biennium, those expenditures were estimated to be \$61,342. The appropriation from other funds was limited to \$50,000. In the 2001-03 biennium, expenses are expected to increase to \$75,208, part of which is the addition of \$5,000 for a share of office space and services. Expenditures are projected to increase to \$82,728 for the 2003-05 biennium.

C. Appropriations: *Explain the appropriation amounts. Provide detail, when appropriate, of the effect on the biennial appropriation for each agency and fund affected and any amounts included in the executive budget. Indicate the relationship between the amounts shown for expenditures and appropriations.*

The executive budget for 2001-03 includes utilizing the concealed weapon revenues beyond the \$50,000 limit imposed by current statute, and beyond the \$65,000 limit established by amendment to HB1160, to meet the permit program expenses.

Name:	Robert J. Helten/Kathy Roll	Agency:	Office of Attorney General
Phone Number:	701-328-5500	Date Prepared:	02/01/2001

FISCAL NOTE

Requested by Legislative Council
01/11/2001

REVISION

Bill/Resolution No.: HB 1160

Amendment to:

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.*

	1999-2001 Biennium		2001-2003 Biennium		2003-2005 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues			(\$24,260)		(\$31,000)	
Expenditures				\$25,208		\$32,728
Appropriations				\$25,208		\$31,000

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

1999-2001 Biennium			2001-2003 Biennium			2003-2005 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts

2. Narrative: *Identify the aspects of the measure which cause fiscal impact and include any comments relevant to your analysis.*

Issuance of Concealed Weapons permits is a service to citizens of the State who wish to carry a concealed weapon. The fee is being used to offset the costs of that service. As the costs for providing the service increase, the \$50,000 limit set by statute on the amount of other funds that can be used for the program increasingly falls short of the actual expenditures. Actual expenditures for the 2001-03 biennium are expected to be \$75,208. Revenue from the \$15 portion of the \$25 fee, which goes to the Attorney General's operating fund, is expected to be \$74,250, almost matching the expected expenditures. As the number of permits increases, the operating costs increase.

As salaries increase, the salary paid from these moneys is not automatically adjusted upward within the \$50,000 limit. Removing the limit provides appropriate flexibility in using these moneys to pay most of the actual operating costs.

In order to pay for the total costs of the concealed weapons permit program for this biennium, this office has had to reduce the law enforcement criminal issues training and related expenses from the level provided in the 1997-99 biennium. This training is essential to providing local law enforcement with the tools needed to better perform their responsibilities. For this reason, there is no impact shown to the General 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.*

Estimates for the 1999-01 biennium are that 4,100 new and renewed permits will be issued, yielding \$41,000 in General Fund revenues, and \$61,500 in other funds revenues. For the 2001-03 biennium, 4,950 new and renewed permits are anticipated, resulting in \$49,500 in General Fund revenues from the \$10 share of the fee, and \$74,250 in other funds from the \$15 share of the fee. The \$74,250 in other funds revenues has been included in the executive budget.

A ten percent increase in the number of permits is estimated for the 2003-05 biennium, raising the number of new and renewed permits to 5,400. Revenues are estimated to be \$54,000 for the General Fund, and \$81,000 in other funds.

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.*

Expenditures include salaries and wages for one FTE and operating costs for mailing, laminating, telephone, data processing, and other expenses. In the 1999-01 biennium, those expenditures were estimated to be \$61,342. The appropriation from other funds was limited to \$50,000. In the 2001-03 biennium, expenses are expected to increase to \$75,208, part of which is the addition of \$5,000 for a share of office space and services. Expenditures are projected to increase to \$82,728 for the 2003-05 biennium.

C. Appropriations: *Explain the appropriation amounts. Provide detail, when appropriate, of the effect on the biennial appropriation for each agency and fund affected and any amounts included in the executive budget. Indicate the relationship between the amounts shown for expenditures and appropriations.*

The executive budget for 2001-03 includes utilizing the concealed weapon revenues beyond the \$50,000 limit imposed by current statute to meet the permit program expenses. The statutory change proposed in this bill is necessary to meet existing and future expenditures.

Name:	Robert J. Helten/Kathy Roll	Agency:	Office of Attorney General
Phone Number:	701-328-5500	Date Prepared:	01/09/2001

FISCAL NOTE
Requested by Legislative Council
01/09/2001

REVISION

Bill/Resolution No.: HB 1160

Amendment to:

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.*

	1999-2001 Biennium		2001-2003 Biennium		2003-2005 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues						
Expenditures				\$25,208		\$32,728
Appropriations				\$25,208		\$31,000

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

1999-2001 Biennium			2001-2003 Biennium			2003-2005 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts

2. Narrative: *Identify the aspects of the measure which cause fiscal impact and include any comments relevant to your analysis.*

Issuance of Concealed Weapons permits is a service to citizens of the State who wish to carry a concealed weapon. The fee is being used to offset the costs of that service. As the costs for providing the service increase, the \$50,000 limit set by statute on the amount of other funds that can be used for the program increasingly falls short of the actual expenditures. Actual expenditures for the 2001-03 biennium are expected to be \$75,208. Revenue from the \$15 portion of the \$25 fee, which goes to the Attorney General's operating fund, is expected to be \$74,250, almost matching the expected expenditures. As the number of permits increases, the operating costs increase.

As salaries increase, the salary paid from these moneys is not automatically adjusted upward within the \$50,000 limit. Removing the limit provides appropriate flexibility in using these moneys to pay most of the actual operating costs.

In order to pay for the total costs of the concealed weapons permit program for this biennium, this office has had to reduce the law enforcement criminal issues training and related expenses from the level provided in the 1997-99 biennium. This training is essential

to providing local law enforcement with the tools needed to better perform their responsibilities. For this reason, there is no impact shown to the General 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.*

Estimates for the 1999-01 biennium are that 4,100 new and renewed permits will be issued, yielding \$41,000 in General Fund revenues, and \$61,500 in other funds revenues. For the 2001-03 biennium, 4,950 new and renewed permits are anticipated, resulting in \$49,500 in General Fund revenues from the \$10 share of the fee, and \$74,250 in other funds from the \$15 share of the fee. The \$74,250 in other funds revenues has been included in the executive budget.

A ten percent increase in the number of permits is estimated for the 2003-05 biennium, raising the number of new and renewed permits to 5,400. Revenues are estimated to be \$54,000 for the General Fund, and \$81,000 in other funds.

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.*

Expenditures include salaries and wages for one FTE and operating costs for mailing, laminating, telephone, data processing, and other expenses. In the 1999-01 biennium, those expenditures were estimated to be \$61,342. The appropriation from other funds was limited to \$50,000. In the 2001-03 biennium, expenses are expected to increase to \$75,208, part of which is the addition of \$5,000 for a share of office space and services. Expenditures are projected to increase to \$82,728 for the 2003-05 biennium.

C. Appropriations: *Explain the appropriation amounts. Provide detail, when appropriate, of the effect on the biennial appropriation for each agency and fund affected and any amounts included in the executive budget. Indicate the relationship between the amounts shown for expenditures and appropriations.*

The executive budget for 2001-03 includes utilizing the concealed weapon revenues beyond the \$50,000 limit imposed by current statute to meet the permit program expenses. The statutory change proposed in this bill is necessary to meet existing and future expenditures.

Name:	Robert J. Helten/Kathy Roll	Agency:	Office of Attorney General
Phone Number:	701-328-5500	Date Prepared:	01/09/2001

FISCAL NOTE
Requested by Legislative Council
12/26/2000

Bill/Resolution No.: HB 1160

Amendment to:

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.*

	1999-2001 Biennium		2001-2003 Biennium		2003-2005 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues	\$41,000	\$61,500	\$49,500	\$74,250	\$54,000	\$81,000
Expenditures		\$50,000		\$75,208		\$82,728
Appropriations		\$50,000		\$75,208		\$81,000

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

1999-2001 Biennium			2001-2003 Biennium			2003-2005 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts

2. Narrative: *Identify the aspects of the measure which cause fiscal impact and include any comments relevant to your analysis.*

Issuance of Concealed Weapons permits is a service to citizens of the State who wish to carry a concealed weapon. The fee is being used to offset the costs of that service. As the costs for providing the service increase, the \$50,000 limit set by statute on the amount of other funds that can be used for the program increasingly falls short of the actual expenditures. Actual expenditures for the 2001-03 biennium are expected to be \$75,208. Revenue from the \$15 portion of the \$25 fee, which goes to the Attorney General's operating fund, is expected to be \$74,250, almost matching the expected expenditures. As the number of permits increases, the operating costs increase.

As salaries increase, the salary paid from these moneys is not automatically adjusted upward within the \$50,000 limit. Removing the limit provides appropriate flexibility in using these moneys to pay most of the actual operating costs.

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.*

Estimates for the 1999-01 biennium are that 4,100 new and renewed permits will be issued, yielding \$41,000 in General Fund revenues, and \$61,500 in other funds revenues. For the 2001-03 biennium, 4,950 new and renewed permits are anticipated, resulting in \$49,500 in General Fund revenues from the \$10 share of the fee, and \$74,250 in other funds from the \$15 share of the fee. The \$74,250 in other funds revenues has been included in the executive budget.

A ten percent increase in the number of permits is estimated for the 2003-05 biennium, raising the number of new and renewed permits to 5,400. Revenues are estimated to be \$54,000 for the General Fund, and \$81,000 in other funds.

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.*

Expenditures include salaries and wages for one FTE and operating costs for mailing, laminating, telephone, data processing, and other expenses. In the 1999-01 biennium, those expenditures were estimated to be \$61,342. The appropriation from other funds was limited to \$50,000. In the 2001-03 biennium, expenses are expected to increase to \$75,208, part of which is the addition of \$5,000 for a share of office space and services. Expenditures are projected to increase to \$82,728 for the 2003-05 biennium.

C. Appropriations: *Explain the appropriation amounts. Provide detail, when appropriate, of the effect on the biennial appropriation for each agency and fund affected and any amounts included in the executive budget. Indicate the relationship between the amounts shown for expenditures and appropriations.*

The executive budget for 2001-03 includes utilizing the concealed weapon revenues beyond the \$50,000 limit imposed by current statute to meet the permit program expenses. The statutory change proposed in this bill is necessary to meet existing and future expenditures.

Name:	Robert J. Hellen/Kathy Roll	Agency:	Office of Attorney General
Phone Number:	701-328-5500	Date Prepared:	01/05/2001

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1160

Page 1, line 8, remove the overstrike over "~~up to a total of~~" and after "fifty" insert "sixty-five"

Page 1, remove the overstrike over line 9

Page 1, line 10, remove the overstrike over "~~excess of the~~", after "fifty" insert "sixty-five", and remove the overstrike over "~~thousand dollars credited to the attorney general's operating~~"

Page 1, line 11, remove the overstrike over "~~fund each biennium must be credited to the state general fund~~"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment increases the limit of funding derived from fees for concealed weapons licenses which is credited to the Attorney General's operating fund from \$50,000 to \$65,000 each biennium.

Date: 1/16/01
Roll Call Vote #: 1

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1160

House Appropriations - Government Operations Division Committee

☒ Subcommittee on Appropriations Govt Ops
or
☐ Conference Committee

Legislative Council Amendment Number

18217.0101

Action Taken

DO PASS

AS AMENDED

HB 1160

Motion Made By

Rep Skarphol

Seconded
By

Rep Thoreson

Representatives	Yes	No	Representatives	Yes	No
Rep. Rex R. Byerly - Chairman	✓		Rep. Eliot Glassheim	✓	
Rep. Ron Carlisle - Vice Chairman	✓		Rep. Robert Huether	✓	
Rep. Kim Koppelman	✓				
Rep. Bob Skarphol	✓				
Rep. Blair Thoreson	✓				

Total (Yes) 7 No 0

Absent 0

Floor Assignment

Rep. Skarphol

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

Amendment was to keep current statute and
amend the cap to \$65,000 from \$50,000.

Date: 1-26-01
Roll Call Vote #: 1

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. HB 1160

House APPROPRIATIONS Committee

- ☐ Subcommittee on _____
or
☐ Conference Committee

Legislative Council Amendment Number _____

Action Taken DO PASS AS AMENDED

Motion Made By

SKARPHOL

Seconded

By

BYERLY

Representatives	Yes	No	Representatives	Yes	No
Timm - Chairman	✓				
Wald - Vice Chairman	✓				
Rep - Aarsvold	✓		Rep - Koppelman	✓	
Rep - Boehm	✓		Rep - Martinson	✓	
Rep - Byerly	✓		Rep - Monson	✓	
Rep - Carlisle	✓		Rep - Skarphol	✓	
Rep - Delzer	✓		Rep - Svedjan	✓	
Rep - Glassheim	✓		Rep - Thoreson	✓	
Rep - Gulleason	✓		Rep - Warner	✓	
Rep - Huether			Rep - Wentz	✓	
Rep - Kemperich	✓				
Rep - Kerzman	✓				
Rep - Kliniske	✓				

Total (Yes) 20 No _____

Absent 1

Floor Assignment SKARPHOL

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

2001 SENATE JUDICIARY

HB 1160

2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 1160

Senate Judiciary Committee

☐ Conference Committee

Hearing Date 28 February 2001

Tape Number	Side A	Side B	Meter #
1		x	32.9-51.2
2		x	17.2-21.6
Committee Clerk Signature			

Minutes: **Senator Traynor**, opened the hearing on HB 1160: A BILL FOR AN ACT TO AMEND AND REENACT SUBSECTION 3 OF SECTION 62.1-04-03 OF THE NORTH DAKOTA CENTURY CODE, RELATING TO DISPOSITION OF FEES FOR CONCEALED WEAPONS LICENSES.

Bob Helton, manager of Information Services in the Bureau of Criminal Investigation.

(testimony attached)

Senator Traynor, your proposing amendments.

Bob Helton, yes.

Senator Trenbeath, this Attorney General fund, is a special fund?

Bob Helton, yes.

Senator Nelson, how many people have permits? Who are these people?

Bob Helton, these are regular folks.

Senator Nelson, what is a concealed weapon?

Page 2
Senate Judiciary Committee
Bill/Resolution Number 1160
Hearing Date 28 February 2001

Senator Dever, Am I correct in reading this?

Senator Bercier, my understanding is that there are several classes of background checks. Is that right?

Bob Helton, yes there are, we do a criminal background check in conjunction with the FBI.

Senator Bercier, it took me six months to get a background check. Why has the time decreased?

Bob Helton, a lot of things have happened in the past five years.

Senator Dever, is there a term on the permit?

Bob Helton, the permit is issued every 3 years. After the three years you need to pay the fee again.

Senator Nelson, you can pull the license for a number of reasons?

Bob Helton, yes.

Senator Traynor, closed the hearing on HB 1160.

Discussion followed.

SENATOR NELSON MOTIONED TO AMEND THE BILL, SECONDED BY SENATOR LYSON. VOTE INDICATED 7 YEAS, 0 NAYS AND 0 ABSENT AND NOT VOTING. SENATOR LYSON MOTIONED TO DO PASS AS AMENDED, SECONDED BY SENATOR BERCIER. VOTE INDICATED 7 YEAS, 0 NAYS AND 0 ABSENT AND NOT VOTING. SENATOR DEVER VOLUNTEERED TO CARRY THE BILL.

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1160

Page 1, line 9, replace "sixty" with "seventy"^{five}

Page 1, line 10, replace "sixty" with "seventy"^{five}

Renumber accordingly

Date: 2/28
Roll Call Vote #:

2001 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1160

Senate	Judiciary	Committee
--------	-----------	-----------

☐ Subcommittee on _____
or
☐ Conference Committee

Legislative Council Amendment Number

Action Taken *Amend*

Motion Made By Nelson Seconded By Lysen

[illegible]

Total (Yes) 7 No 0

Absent

Floor Assignment

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

Date: 2/28
Roll Call Vote #: 2

2001 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1160

Senate	Judiciary	Committee
---------------	------------------	------------------

☐ Subcommittee on _____
or _____

☐ Conference Committee

Legislative Council Amendment Number

Action Taken DPA

Motion Made By Layson Seconded By Buriet

[illegible]

Total (Yes) 7 No 0

Absent 

Floor Assignment Dever

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

REPORT OF STANDING COMMITTEE (410)
March 1, 2001 9:02 a.m.

Module No: SR-35-4566
Carrier: Dever
Insert LC: 18217.0201 Title: .0300

REPORT OF STANDING COMMITTEE

HB 1160, as engrossed: Judiciary Committee (Sen. Traynor, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS and BE REREFERRED to the Appropriations Committee (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1160 was placed on the Sixth order on the calendar.

Page 1, line 9, replace "sixty-five" with "seventy-five"

Page 1, line 10, replace "sixty-five" with "seventy-five"

Renumber accordingly

2001 SENATE APPROPRIATIONS

HB 1160

2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1160

Senate Appropriations Committee

☐ Conference Committee

Hearing Date March 12, 2001

Tape Number	Side A	Side B	Meter #
1	X		0,0-11,1
Committee Clerk Signature <i>Debbie Shorenko</i>			

Minutes:

Senator Nothing opened the hearing on HB 1160.

Bob Helten, Manager of Information Services in the Bureau of Criminal Investigation, a division within the Office of the Attorney General, testified (testimony attached). He went over the chart on revenues, appropriation, and the expenditures for concealed weapon permits.

Senator Nothing: What is your bases on the estimated number of permits; how did you arrive at this?

Bob Helten: Mainly by the number of permits sold, which is now around 5,300. Permits are usually purchased because a background check is done (which covers a three year period) and they can purchase additional weapons without a repeated background check. The fee increase is to cover other overhead costs and expenditures to administer this program, and also for office space.

Senator Bowman: What is the purpose for these fees and what do they have to do with concealed weapons and why?

Bob Helten: It's more of a privilege to maintain control and the fee helps, kind of like a drivers license.

Senator Bowman: Is it for the service we do or is it a reason to collect money, investigative reason?

Bob Helten: Don't confuse this with registering a weapon. The reason for the attached fee is to administer the weapon permit program. If there wasn't a fee there would be unlimited numbers of applications.

Senator Nething: What I think Senator Bowman is getting at is why do you have to have a permit for a weapon?

Bob Helten: The legislature could answer this more than I can as it was made back when the statute was passed and what its intent was.

Senator Tallackson: When the law passed, it was for a person to carry a concealed weapon and to have a permit to do this.

Senator Thane: This permit, is there also a waiting period for hunting rifles/guns as well and not just for hand guns?

Bob Helten: When the Brady Act was first passed, it was only for hand guns and several years later all fire arms were included for the background check.

Senator Thane: Is this done by certified instructors?

Bob Helten: All the instructors are certified, either law enforcement or NRA.

Senator Nething: Does the information then come to you to issue the permit?

Bob Helten: Yes.

Page 3
Senate Appropriations Committee
Bill/Resolution Number HB 1160
Hearing Date March 12, 2001

Senator Tallackson: Are you going by the history to increase the \$65,000 to \$75,000 or is this a ceiling amount request?

Bob Helten: This is our request as there is no limit at all. The House raised the limit to \$65,000. We requested the Senator Judiciary Committee to raise the amount to \$75,000, to allow the program to function.

Senator Nething: I am referring this bill to Subcommittee of Senator Nething, Senator Holmberg and Senator Robinson, the same Subcommittee assigned to the Office of Attorney General.

With no further testimony, the hearing was closed.

Tape #1, Side A, meter 11.1.

3-29-01 Full Committee Action (Tape #1, Side A, Meter # 15.7-17.6)

Senator Nething reopened the hearing on HB1160 -Disposition of Concealed Weapons Licenses. Senator Nething, chair of the Subcommittee reviewed the bill, and the recommendation of the Subcommittee. Discussion.

Senator Holmberg moved a AS AMENDED DO PASS; seconded by Senator Robinson.

Discussion; call for the vote. Roll call vote: 14 yes; 0 no; 0 absent and not voting.

Senator Dever will be asked to do the floor assignment as he did for the Committee that referred it to Appropriations.

Date: 3-29-01

Roll Call Vote #: _____

2001 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. SB 140

Senate Appropriations Committee

☐ Subcommittee on _____
or
☐ Conference Committee

Legislative Council Amendment Number _____

Action Taken As Amended, do pass

Motion Made By Senator Holmberg Seconded By Senator Robinson

Senators	Yes	No	Senators	Yes	No
Dave Nething, Chairman	✓				
Ken Solberg, Vice-Chairman	✓				
Randy A. Schobinger	✓				
Elroy N. Lindaas	✓				
Harvey Tallackson	✓				
Larry J. Robinson	✓				
Steven W. Tomac	✓				
Joel C. Heitkamp	✓				
Tony Grindberg	✓				
Russell T. Thane	✓				
Ed Kringstad	✓				
Ray Holmberg	✓				
Bill Bowman	✓				
John M. Andrist	✓				

Total Yes 14 No 0

Absent 0

Floor Assignment Senator Holmberg

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

REPORT OF STANDING COMMITTEE (410)
March 29, 2001 9:36 a.m.

Module No: SR-55-7083
Carrier: Dever
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

HB 1160, as engrossed and amended: Appropriations Committee (Sen. Nething, Chairman) recommends DO PASS (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1160, as amended, was placed on the Fourteenth order on the calendar.

2001 TESTIMONY

HB 1160

1-16-01
1-16-01

TESTIMONY BEFORE THE
HOUSE APPROPRIATIONS COMMITTEE
ON HB1160
BY BOB HELTEN, MANAGER
INFORMATION SERVICES SECTION
BUREAU OF CRIMINAL INVESTIGATION
OFFICE OF ATTORNEY GENERAL
JANUARY 16, 2001

Mr. Chairman, members of the committee, my name is Bob Helten. I am Manager of Information Services in the Bureau of Criminal Investigation, which is a division within the Office of Attorney General.

I am speaking on behalf of the Bureau of Criminal Investigation in favor of HB1160, which relates to the disposition of fees for concealed weapons licenses. As you know, the fee for a concealed weapons license is twenty-five dollars, with ten dollars credited to the state general fund, and fifteen dollars going to the attorney general's operating fund. The purpose for the fee is, at least in part, to allow those who are benefiting from the license to pay for the cost of administering the license process.

The costs for administration of this program have increased, along with the increase in licenses issued. In the current biennium, it is estimated that direct costs for licensing will be \$61,342, with \$102,500 in revenues from licensing fees, and \$61,500 of that sum credited to the special fund for operations. In the 2001-03 biennium, expenditures are anticipated to be approximately \$75,208, with \$123,750 expected in revenues, and \$74,250 going to the special fund.

Subsection 3 of section 62.1-04-03 of the North Dakota Century Code restricts the amount of funds that can be used from the special fund for operations to \$50,000 each biennium. The difference, \$11,342 in the current biennium and \$25,208 in the next, must be found in the Attorney General's total appropriation. In order to pay for the total costs of the concealed weapons permit program for this biennium, this office has had to reduce the law enforcement criminal issues training and related expenses from the level provided in the 1997-99 biennium, thus reducing the amount of training assistance we can provide to local law enforcement agencies.

We believe that removing the \$50,000 restriction will allow the actual expenditures that can be paid from the special fund to track with the revenues generated by the fifteen-dollar portion of the fee. As the number of licenses increases, so also do the costs and revenues. If the expenditures and revenues do not continue to track closely, and either a deficit or a surplus occurs in the future, the issue can be revisited. For the 2001-03 and 2003-05 bienniums, this is a reasonable and necessary change.

We urge your support for this amendment.

I will be happy to answer any questions.

HB1160
1-16-01

Addendum
To
Testimony by
Bob Helten
On HB1160
January 17, 2001

Concealed Weapon Permit Statistics

The attached tables present statistics on concealed weapons licenses processed from 1992 through 2000. The data is presented by month for each year. The columns provide the following information:

NEW	New applications for concealed weapons licenses
REN	Renewals of existing licenses (licenses are issued for a three year period)
TTL	Total of new and renewed licenses
REVENUE	Revenue received from the total fee for obtaining a license (the fee was \$15 up to July 1995, and \$25 thereafter)
CRNT	The number of concealed weapons licenses in effect (in any given month there are new licenses added, but others dropped because they are not renewed or the holder becomes ineligible)
UNAV	Data is not available for some of the earlier years of the program

1998

	NEW	REN	TTL	REVENUE	CRNT
JANUARY	24	97	121	\$ 3,250.00	4,813
FEBRUARY	47	118	165	\$ 3,875.00	4,851
MARCH	59	125	184	\$ 4,550.00	4,831
APRIL	60	133	193	\$ 4,875.00	4,794
MAY	60	155	215	\$ 5,425.00	4,794
JUNE	41	137	178	\$ 4,475.00	4,856
JULY	32	84	116	\$ 2,900.00	4,880
AUGUST	34	77	111	\$ 2,725.00	4,948
SEPTEMBER	32	91	123	\$ 3,125.00	4,946
OCTOBER	62	61	123	\$ 3,125.00	4,983
NOVEMBER	153	106	259	\$ 5,000.00	5,116
DECEMBER			60	\$ 1,500.00	5,087
TOTAL	604	1,184	1,848	\$ 44,825.00	

1999

	NEW	REN	TTL	REVENUE	CRNT
JANUARY	70	80	150	\$ 3,750.00	5,087
FEBRUARY	23	82	105	\$ 2,675.00	5,135
MARCH	65	169	234	\$ 5,750.00	5,120
APRIL	66	103	169	\$ 4,275.00	5,157
MAY	46	85	131	\$ 3,450.00	5,139
JUNE	48	84	132	\$ 3,300.00	5,185
JULY	66	63	129	\$ 3,100.00	5,240
AUGUST	36	50	86	\$ 2,175.00	5,284
SEPTEMBER	27	61	88	\$ 2,175.00	5,289
OCTOBER	30	72	102	\$ 2,575.00	5,282
NOVEMBER	28	39	67	\$ 2,225.00	5,275
DECEMBER	46	67	113	\$ 2,075.00	5,294
TOTAL	551	955	1,506	\$ 37,525.00	

2000

	NEW	REN	TTL	REVENUE	CRNT
JANUARY	37	64	101	\$ 2,400.00	5,305
FEBRUARY	40	75	115	\$ 2,875.00	5,304
MARCH	64	217	281	\$ 7,050.00	5,290
APRIL	53	213	266	\$ 6,700.00	5,235
MAY	45	198	243	\$ 6,400.00	5,221
JUNE	36	180	216	\$ 5,125.00	5,270
JULY	36	126	162	\$ 4,050.00	5,298
AUGUST	39	141	180	\$ 4,500.00	5,311
SEPTEMBER	36	141	177	\$ 4,475.00	5,338
OCTOBER	22	113	135	\$ 3,525.00	5,315
NOVEMBER	28	96	124	\$ 2,925.00	5,323
DECEMBER	26	71	97	\$ 2,500.00	5,295
TOTAL	462	1,635	2,097	\$ 52,525.00	

NORTH DAKOTA CONCEALED WEAPON PERMIT STATISTICS

1992

	NEW	REN	TTL	REVENUE	CRNT
JANUARY	14	47	61	\$915.00	UNAV
FEBRUARY	37	52	89	\$1,335.00	UNAV
MARCH	30	69	99	\$1,485.00	UNAV
APRIL	24	52	76	\$1,140.00	UNAV
MAY	18	60	78	\$1,170.00	UNAV
JUNE	20	52	72	\$1,080.00	UNAV
JULY	31	28	59	\$885.00	UNAV
AUGUST	9	42	51	\$765.00	UNAV
SEPTEMBER	19	16	35	\$525.00	UNAV
OCTOBER	24	30	54	\$810.00	UNAV
NOVEMBER	7	15	22	\$330.00	UNAV
DECEMBER	19	31	50	\$750.00	UNAV
TOTAL	252	494	746	\$11,190.00	

1993

	NEW	REN	TTL	REVENUE	CRNT
JANUARY	31	24	55	\$825.00	UNAV
FEBRUARY	13	25	38	\$570.00	UNAV
MARCH	48	65	113	\$1,695.00	UNAV
APRIL	20	50	70	\$1,050.00	UNAV
MAY	23	31	54	\$810.00	UNAV
JUNE	17	32	49	\$735.00	UNAV
JULY	25	31	56	\$840.00	UNAV
AUGUST	22	16	38	\$570.00	UNAV
SEPTEMBER	31	31	62	\$930.00	UNAV
OCTOBER	39	27	66	\$990.00	1,923
NOVEMBER	35	23	58	\$870.00	1,958
DECEMBER	27	21	48	\$720.00	1,985
TOTAL	331	376	707	\$10,605.00	

1994

	NEW	REN	TTL	REVENUE	CRNT
JANUARY	68	30	98	\$1,470.00	2,053
FEBRUARY	82	24	106	\$1,590.00	2,136
MARCH	262	44	306	\$4,590.00	2,399
APRIL	331	40	371	\$5,565.00	2,717
MAY	204	29	233	\$3,495.00	2,920
JUNE	111	32	143	\$2,145.00	3,033
JULY	107	33	140	\$2,100.00	3,140
AUGUST	61	35	96	\$1,440.00	UNAV
SEPTEMBER	78	55	133	\$1,995.00	3,216
OCTOBER	102	82	184	\$2,760.00	3,334
NOVEMBER	59	35	94	\$1,410.00	3,387
DECEMBER	80	38	118	\$1,770.00	3,458
TOTAL	1545	477	2022	\$30,330.00	

1995

	NEW	REN	TTL	REVENUE	CRNT
JANUARY	92	85	177	\$2,295.00	UNAV
FEBRUARY	46	39	85	\$1,530.00	3,578
MARCH	101	99	200	\$2,985.00	3,668
APRIL	123	69	192	\$2,760.00	3,770
MAY	143	72	215	\$3,195.00	3,902
JUNE	103	53	156	\$2,340.00	3,990
JULY	36	47	83	\$1,550.00	4,023
AUGUST	42	40	82	\$1,930.00	4,067
SEPTEMBER	63	29	92	\$2,430.00	4,125
OCTOBER	68	22	90	\$2,365.00	4,165
NOVEMBER	74	26	100	\$2,450.00	4,224
DECEMBER	61	33	94	\$2,525.00	4,287
TOTAL	952	614	1566	\$28,355.00	

1996

	NEW	REN	TTL	REVENUE	CRNT
JANUARY	78	58	134	\$3,275.00	4,362
FEBRUARY	70	57	135	\$3,400.00	4,425
MARCH	115	58	171	\$4,440.00	4,518
APRIL	70	53	123	\$3,425.00	4,573
MAY	98	65	163	\$3,750.00	4,652
JUNE	41	40	81	\$2,100.00	4,703
JULY	41	31	72	\$1,675.00	4,727
AUGUST	28	33	61	\$1,770.00	4,752
SEPTEMBER	43	39	72	\$1,650.00	4,775
OCTOBER	63	41	104	\$2,725.00	4,789
NOVEMBER	37	39	76	\$2,225.00	4,827
DECEMBER	33	55	88	\$1,900.00	4,856
TOTAL	725	555	1280	\$32,340.00	55,949

1997

	NEW	REN	TTL	REVENUE	CRNT
JANUARY	14	72	86	\$2,150.00	4,852
FEBRUARY	29	128	157	\$3,925.00	4,843
MARCH	42	175	217	\$5,425.00	4,743
APRIL	44	199	243	\$6,150.00	4,656
MAY	49	153	202	\$5,325.00	4,655
JUNE	38	150	188	\$4,700.00	4,692
JULY	29	131	160	\$4,000.00	4,764
AUGUST	39	135	174	\$4,100.00	4,772
SEPTEMBER	30	109	139	\$3,500.00	4,758
OCTOBER	50	121	180	\$4,500.00	4,786
NOVEMBER	52	83	135	\$3,375.00	4,815
DECEMBER	28	95	123	\$3,050.00	4,814
TOTAL	453	1551	2004	\$50,200.00	57,150

**TESTIMONY BEFORE THE
SENATE JUDICIARY COMMITTEE
ON HB1160
BY BOB HELTEN, MANAGER
INFORMATION SERVICES SECTION
BUREAU OF CRIMINAL INVESTIGATION
OFFICE OF ATTORNEY GENERAL
FEBRUARY 28, 2001**

Mr. Chairman, members of the committee, my name is Bob Helten. I am Manager of Information Services in the Bureau of Criminal Investigation, which is a division within the Office of Attorney General.

I am speaking on behalf of the Bureau of Criminal Investigation in favor of HB1160, which relates to the disposition of fees for concealed weapons licenses. As you know, the fee for a concealed weapons license is twenty-five dollars, with ten dollars credited to the state general fund, and fifteen dollars going to the attorney general's operating fund. The purpose for the fee is, at least in part, to allow those who are benefiting from the license to pay for the cost of administering the license process.

The costs for administration of this program have increased, along with the increase in licenses issued. In the current biennium, it is estimated that direct costs for licensing will be \$61,342, with \$102,500 in revenues from licensing fees, and \$61,500 of that sum credited to the special fund for operations. In the 2001-03 biennium, expenditures are anticipated to be approximately \$75,208 with \$123,750 expected in revenues, and \$74,250 going to the special fund.

Subsection 3 of section 62.1-04-03 of the North Dakota Century Code restricts the amount of funds that can be used from the special fund for operations to \$50,000 each biennium. The difference, \$11,342 in the current biennium and \$25,208 in the next, must be found in the Attorney General's total appropriation. In order to pay for the total costs of the concealed weapons permit program for this biennium, this office has had to reduce the law enforcement criminal issues training and related expenses from the level provided in the 1997-99 biennium, thus reducing the amount of training assistance we can provide to local law enforcement agencies.

We are asking the legislature to adjust the limit placed on the amount of special funds that can be used to pay the costs of operating the concealed weapons permit program to a level that will cover all of the costs that are incurred to run the program. Those costs are estimated to be \$75,208 in the 2001-03 biennium. The House passed an amendment increasing the limit from \$50,000 to \$65,000, which is still \$10,000 short of the expected cost to run the program. That \$10,000 will create a shortfall elsewhere in the Attorney General's appropriation if the limit is not increased to \$75,000.

We respectfully request that the Senate Judiciary Committee recommend an increase from \$65,000 to \$75,000 in the special funds appropriation to cover all the costs of operating the concealed weapons license program.

I will be happy to answer any questions.

Revenues, Appropriations, and Expenditures for Concealed Weapons Permits

<u>Bismarck</u>	<u>Permits Issued (Estimated)</u>	<u>Total Revenue \$25/permit</u>	<u>General Fund Revenue \$10/Permit</u>	<u>Special Fund Revenue \$15/Permit</u>	<u>General Fund Appropriation</u>	<u>Special Fund Appropriation</u>	<u>Actual Expenditures (Estimated)</u>	<u>Short Fall (Estimated)</u>
1999-01	4100	\$102,500	\$41,000	\$61,500	0	\$50,000	\$61,342	\$11,342
2001-03	4950	\$123,750	\$49,500	\$74,250	0	\$65,000*	\$75,208	\$10,208

* House Amendment in HB1160

HB 1160

**TESTIMONY BEFORE THE
SENATE APPROPRIATIONS COMMITTEE
ON HB1160
BY BOB HELTEN, MANAGER
INFORMATION SERVICES SECTION
BUREAU OF CRIMINAL INVESTIGATION
OFFICE OF ATTORNEY GENERAL
MARCH 12, 2001**

Mr. Chairman, members of the committee, my name is Bob Helten. I am Manager of Information Services in the Bureau of Criminal Investigation, which is a division within the Office of Attorney General.

I am speaking on behalf of the Bureau of Criminal Investigation in favor of HB1160, which relates to the disposition of fees for concealed weapons licenses. As you know, the fee for a concealed weapons license is twenty-five dollars, with ten dollars credited to the state General Fund, and fifteen dollars going to the Attorney General's operating fund. The purpose for the fee is, at least in part, to allow those who are benefiting from the license to pay for the cost of administering the license process.

The costs for administration of this program have increased, along with the increase in licenses issued. In the current biennium, it is estimated that direct costs for licensing will be \$61,342, with \$102,500 in revenues from licensing fees.

Under the current fee distribution arrangement, only \$50,000 of the \$102,500 expected in revenues for the 1999-01 biennium can be spent on the administration of the concealed weapon licensing program. The remainder (\$52,500) goes to the state

General Fund and cannot be accessed by this office. With expenditures of \$61,342 expected for the current biennium, the Office of Attorney General is anticipating a shortage of \$11,342 due to this arrangement, and is expecting to have to reduce the expenditures in another area in order to balance this shortfall. (In this instance, we are anticipating reducing the law enforcement criminal issues training and related expenses from the level provided in the 1997-99 biennium, thus reducing the amount of training assistance we can provide to local law enforcement agencies.) For this reason, the fiscal note indicates no impact to the General Fund.

Expenditures for the 2001-03 biennium, for administering the concealed weapons licensing program, are expected to be approximately \$75,208. Initially, HB1160 sought to eliminate any cap on the spending of the special fund monies generated by the fees for the permit. The House increased the cap from \$50,000 to \$65,000, and the Senate Judiciary Committee amended that to \$75,000. That amendment will allow the program to function in the 2001-03 biennium without being a liability and a drain on other activities which have been included in the Attorney General's General Fund appropriation. The special funds made available for operation of the program, under this amendment, will almost precisely match the expected costs for issuing licenses. In the 2003-05 biennium, we anticipate costs to increase somewhat again, to approximately \$82,728, and that again would result in a shortage of special funds authorized for use to meet expenses for the program, but in the meantime we would be able to meet expenses.

We appreciate the support of the Senate in increasing the cap to \$75,000, and we urge this committee's continued support and approval of the amendment which establishes that level of appropriation.

I will be happy to answer any questions.

e:\01legislation\hb 1160 testimony by helten to sen app committee.doc

Revenues, Appropriations, and Expenditures for Concealed Weapons Permits

<u>Biennium</u>	<u>Permits Issued (Estimated)</u>	<u>Total Revenue \$25/permit</u>	<u>State's General Fund Revenue \$10/Permit</u>	<u>Total Special Fund Revenue \$15/Permit</u>	<u>AG Actual Expenditures (Estimated)</u>	<u>Amount that will come out of AG-GF to cover expenses (Estimated)</u>
1999-01	4100	\$102,500	\$52,500	\$50,000	\$61,342	\$11,342
2001-03	4950	\$123,750	\$48,750	\$75,000*	\$75,208	\$208
2003-05	5400	\$135,000	\$60,000	\$75,000*	\$82,728	\$7,728

* Senate Amendment in HB1160