

Sixty-first
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1003

Introduced by

Appropriations Committee

(At the request of the Governor)

1 A BILL for an Act to provide an appropriation for defraying the expenses of the attorney general;
2 and to amend and reenact section 54-12-11 of the North Dakota Century Code, relating to the
3 salary of the attorney general.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the
6 funds as may be necessary, are appropriated out of any moneys in the general fund in the state
7 treasury, not otherwise appropriated, and from special funds derived from federal funds and
8 other income, to the attorney general for the purpose of defraying the expenses of the attorney
9 general, for the biennium beginning July 1, 2009, and ending June 30, 2011, as follows:

		Adjustments or	
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
11 Salaries and wages	\$22,427,935	\$5,240,722	\$27,668,657
13 Operating expenses	10,596,526	3,608,053	14,204,579
14 Capital assets	1,126,891	1,264,296	2,391,187
15 Grants	4,197,000	(637,775)	3,559,225
16 Litigation fees	50,000	0	50,000
17 Medical examinations	500,000	(250,000)	250,000
18 North Dakota lottery	3,930,589	(346,201)	3,584,388
19 Arrest and return of fugitives	10,000	0	10,000
20 Gaming commission	6,141	0	6,141
21 Computerized registrations	<u>1,046,080</u>	<u>(1,046,080)</u>	<u>0</u>
22 Total all funds	\$43,891,162	\$7,833,015	\$51,724,177
23 Less estimated income	<u>20,901,921</u>	<u>1,007,056</u>	<u>21,908,9 77</u>

1	Total general fund	\$22,989,241	\$6,825,959	\$29,815,200
2	Full-time equivalent positions	188.50	10.00	198.50

3 **SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO**
4 **SIXTY-SECOND LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time
5 funding items approved by the sixtieth legislative assembly for the 2007-09 biennium and the
6 2009-11 one-time funding items included in the appropriation in section 1 of this Act:

7	<u>One-Time Funding Description</u>	<u>2007-09</u>	<u>2009-11</u>
8	Crime lab construction	<u>\$1,442,840</u>	<u>\$0</u>
9	Total general fund	\$1,442,840	\$0

10 The 2009-11 one-time funding amounts are not a part of the entity's base budget for the
11 2011-13 biennium. The attorney general shall report to the appropriations committees of the
12 sixty-second legislative assembly on the use of this one-time funding for the biennium
13 beginning July 1, 2009, and ending June 30, 2011.

14 **SECTION 3. ESTIMATED INCOME - GAMING AND EXCISE TAX ALLOCATION**
15 **FUND - LOCAL GAMING ENFORCEMENT GRANTS.** The grants line item in section 1 of this
16 Act includes \$617,000 for local gaming enforcement grants.

17 **SECTION 4. FIRE AND TORNADO FUND - FEES.** The attorney general shall charge
18 and collect fees for services provided by the state fire marshal program to entities covered by
19 the fire and tornado fund under chapter 26.1-22. Fees under this section may be collected in
20 amounts of up to a total of \$310,000 for the biennium beginning July 1, 2009, and ending
21 June 30, 2011. All fees collected under this section must be deposited in the attorney general's
22 operating fund.

23 **SECTION 5. PETROLEUM RELEASE COMPENSATION FUND - FEES.** The attorney
24 general shall charge and collect fees for services provided by the state fire marshal program to
25 entities covered by the petroleum release compensation fund under chapter 23-37. Fees under
26 this section may be collected in amounts of up to a total of \$35,000 for the biennium beginning
27 July 1, 2009, and ending June 30, 2011. All fees collected under this section must be
28 deposited in the attorney general's operating fund.

29 **SECTION 6. ADDITIONAL FEDERAL FUNDS - EMERGENCY COMMISSION**
30 **APPROVAL - LIMIT ON GENERAL FUND EXPENDITURES.** If the attorney general receives
31 federal funding in excess of federal funding amounts appropriated for the 2009-11 biennium,

1 the attorney general may spend the additional federal funds, subject to emergency commission
2 approval, but may not spend funding appropriated from the general fund or the
3 multijurisdictional task force grant fund for similar purposes for the biennium beginning July 1,
4 2009, and ending June 30, 2011.

5 **SECTION 7. AMENDMENT.** Section 54-12-11 of the North Dakota Century Code is
6 amended and reenacted as follows:

7 **54-12-11. Salary of attorney general.** The annual salary of the attorney general is
8 ~~eighty-three~~ ninety-one thousand ~~nine~~ seven hundred ~~ninety-one~~ nineteen dollars through
9 June 30, 2008, and ~~eighty-seven~~ ninety-six thousand three hundred ~~fifty-one~~ four dollars
10 thereafter.