

Sixty-third
Legislative Assembly
of North Dakota

ENGROSSED 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 to amend and reenact ~~sections~~section 54-12-11 and ~~54-59-22~~subsection 1 of section 57-51-15
3 of the North Dakota Century Code, relating to the salary of the attorney general and to ~~required~~
4 ~~use of information technology services~~gross production tax allocation; to provide for a report to
5 the budget section; and to declare an emergency.

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

7 **SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds
8 as may be necessary, are appropriated out of any moneys in the general fund in the state
9 treasury, not otherwise appropriated, and from special funds derived from federal funds and
10 other income, to the attorney general for the purpose of defraying the expenses of the attorney
11 general, for the biennium beginning July 1, 2013, and ending June 30, 2015, as follows:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
14 Salaries and wages	\$29,506,046	\$3,158,135	\$32,664,181
15 Accrued leave payments	0	1,057,247	1,057,247
16 Operating expenses	16,418,016	4,267,598	20,685,614
17 Capital assets	1,943,783	359,294	2,303,077
18 Grants	3,420,000	(1,046,053)	2,373,947
19 Litigation fees	50,000	0	50,000
20 Medical examinations	660,000	0	660,000
21 North Dakota lottery	3,700,242	433,579	4,133,821
22 Arrest and return of fugitives	10,000	0	10,000
23 Gaming commission	7,368	0	7,368
24 Total all funds	\$55,715,455	\$8,229,800	\$63,945,255

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1	Less estimated income	24,485,610	3,638,521	28,124,131
2	Total general fund	\$31,229,845	\$4,591,279	\$35,821,124
3	Full-time equivalent positions	204.00	1.00	205.00
4	Salaries and wages	\$29,506,046	\$7,425,372	\$36,931,418
5	Operating expenses	16,418,016	4,135,959	20,553,975
6	Capital assets	1,943,783	419,294	2,363,077
7	Grants	3,420,000	(1,046,053)	2,373,947
8	Energy impact - law enforcement	0	10,000,000	10,000,000
9	Litigation fees	50,000	0	50,000
10	Abortion litigation fees	0	400,000	400,000
11	Medical examinations	660,000	0	660,000
12	North Dakota lottery	3,700,242	433,579	4,133,821
13	Arrest and return of fugitives	10,000	0	10,000
14	Gaming commission	7,368	0	7,368
15	Total all funds	\$55,715,455	\$21,768,151	\$77,483,606
16	Less estimated income	24,485,610	14,681,010	39,166,620
17	Total general fund	\$31,229,845	\$7,087,141	\$38,316,986
18	Full-time equivalent positions	204.00	11.50	215.50

SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO

SIXTY-FOURTH LEGISLATIVE ASSEMBLY. The following amounts reflect the one-time funding items approved by the sixty-second legislative assembly for the 2011-13 biennium and the 2013-15 one-time funding items included in the appropriation in section 1 of this Act:

23	<u>One-Time Funding Description</u>	<u>2011-13</u>	<u>2013-15</u>
24	Federal stimulus funds	\$2,355,708	\$0
25	Crime lab equipment and BCI vehicles	312,400	0
26	NICS Improvement Act - 2007	585,859	0
27	Energy impact grants - law enforcement	0	10,000,000
28	BCI vehicles	0	198,000
29	Total all funds	\$3,253,967	\$198,000
30	Total special funds	2,941,567	0
31	Total general fund	\$312,400	\$198,000

1	<u>Total all funds</u>	<u>\$3,253,967</u>	<u>\$10,198,000</u>
2	<u>Total special funds</u>	<u>2,941,567</u>	<u>10,000,000</u>
3	<u>Total general fund</u>	<u>\$312,400</u>	<u>\$198,000</u>

4 The 2013-15 one-time funding amounts are not a part of the entity's base budget for the
5 2015-17 biennium. The attorney general shall report to the appropriations committees of the
6 sixty-fourth legislative assembly on the use of this one-time funding for the biennium beginning
7 July 1, 2013, and ending June 30, 2015.

8 **SECTION 3. ATTORNEY GENERAL REFUND FUND TRANSFER TO THE GENERAL**

9 **FUND - EXEMPTION.** Notwithstanding section 54-12-18, the attorney general may retain the
10 balance in the attorney general refund fund that would otherwise be transferred to the general
11 fund on June 30, 2013.

12 **SECTION 4. ENERGY IMPACT - LAW ENFORCEMENT - OIL AND GAS IMPACT GRANT**

13 **FUND - REPORT TO BUDGET SECTION.** The energy impact - law enforcement line item in
14 section 1 of this Act includes \$10,000,000, or so much of the sum as may be needed, from the
15 oil and gas impact grant fund, for grants to law enforcement agencies, for crime-related needs
16 of the office of attorney general, and for the development of a uniformed law enforcement and
17 custody manual. The drug and violent crime policy board of the attorney general shall, with
18 approval of the board of university and school lands, grant funds to law enforcement agencies
19 in oil-impacted counties where crime-related activities have increased or in other counties if the
20 crime-related activities in oil-impacted counties originated in any of those counties. The attorney
21 general may spend up to ten percent of the funding provided under this section for defraying the
22 expenses of additional staffing or other needs necessary to accomplish the role of the office of
23 attorney general as an assisting agency in ensuring public safety in the affected areas. The
24 attorney general may use up to \$750,000 of the funding provided under this section for the
25 development of a uniformed law enforcement and custody manual. The attorney general shall
26 report to the budget section after June 30, 2014, on the impact the grant funding has had on
27 crime-related activities.

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

1 **54-12-11. Salary of attorney general.**

2 The annual salary of the attorney general is one hundred ~~thirty-four~~forty-two~~forty-three~~
3 thousand one ~~threesix~~ hundred ~~thirty-five~~four~~eighty-five~~ dollars through June 30, ~~2012~~2014, and
4 one hundred ~~thirty-eight~~forty-six~~forty-nine~~ thousand one ~~five~~four hundred ~~fifty-nine~~seventy-
5 three~~thirty-two~~ dollars thereafter.

6 ~~SECTION 5. AMENDMENT. Section 54-59-22 of the North Dakota Century Code is~~
7 ~~amended and reenacted as follows:~~

8 ~~54-59-22. Required use of electronic mail, file and print server administration,~~
9 ~~database administration, application server, and hosting services.~~

10 ~~Each state agency and institution, excluding the legislative and judicial branches, the~~
11 ~~institutions under the control of the state board of higher education, the public employees~~
12 ~~retirement system, the retirement and investment office, the attorney general, and any entity~~
13 ~~exempted by the office of management and budget after advisement by the information~~
14 ~~technology department, shall obtain electronic mail, file and print server administration,~~
15 ~~database administration, storage, application server, and hosting services through a delivery~~
16 ~~system established by the information technology department in conjunction with the office of~~
17 ~~management and budget. The office of management and budget, after receiving advice from~~
18 ~~the information technology department, shall establish policies and guidelines for the delivery of~~
19 ~~services, including the transition from existing systems to functional consolidation, with~~
20 ~~consideration given to the creation of efficiencies, cost savings, and improved quality of service.~~

21 **SECTION 6. AMENDMENT.** Subsection 1 of section 57-51-15 of the North Dakota Century
22 Code is amended and reenacted as follows:

- 23 1. First the tax revenue collected under this chapter equal to one percent of the gross
24 value at the well of the oil and one-fifth of the tax on gas must be deposited with the
25 state treasurer who shall:
- 26 a. Allocate five hundred thousand dollars per fiscal year to each city in an
27 oil-producing county which has a population of seven thousand five hundred or
28 more and more than two percent of its private covered employment engaged in
29 the mining industry, according to data compiled by job service North Dakota. The
30 allocation under this subdivision must be doubled if the city has more than seven

- 1 and one-half percent of its private covered employment engaged in the mining
2 industry, according to data compiled by job service North Dakota;
3 b. Credit revenues to the oil and gas impact grant fund, but not in an amount
4 exceeding one hundred ten million dollars per biennium; and
5 c. Allocate the remaining revenues under subsection 3.

6 **SECTION 7. EMERGENCY.** Section 3 of this Act is declared to be an emergency measure.