

PROPOSED AMENDMENTS TO SENATE BILL NO. 2003

Page 1, line 1, after "general" insert "; to create and enact a new section to chapter 50-06 of the North Dakota Century Code, relating to the creation of an opioid settlement fund; to amend and reenact sections 53-12.1-09 and 54-12-11 of the North Dakota Century Code, relating to transfers from the lottery operating fund to the multijurisdictional drug task force grant fund and the salary of the attorney general; to provide a transfer; to provide an exemption; to provide for a report; and to provide for a legislative management study"

Page 1, remove lines 8 through 24

Page 2, replace lines 1 through 3 with:

"	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and wages	\$50,832,646	\$5,642,965	\$56,475,611
Operating expenses	15,237,498	2,450,937	17,688,435
Capital assets	648,055	2,912,522	3,560,577
Grants	3,903,440	0	3,903,440
Human trafficking victims grants	1,101,879	9,601	1,111,480
Forensic nurse examiners grants	250,691	2,181	252,872
Statewide litigation funding pool	0	5,000,000	5,000,000
Litigation fees	127,500	0	127,500
Medical examinations	660,000	0	660,000
North Dakota lottery	5,254,844	178,602	5,433,446
Arrest and return of fugitives	8,500	0	8,500
Gaming commission	7,489	0	7,489
Criminal justice information sharing	4,074,968	471,677	4,546,645
Law enforcement	<u>3,048,927</u>	<u>4,145,778</u>	<u>7,194,705</u>
Total all funds	\$85,156,437	\$20,814,263	\$105,970,700
Less estimated income	<u>42,509,719</u>	<u>(125,870)</u>	<u>42,383,849</u>
Total general fund	\$42,646,718	\$20,940,133	\$63,586,851
Full-time equivalent positions	253.00	7.00	260.00"

Page 2, line 4, after "**FUNDING**" insert "**- EFFECT ON BASE BUDGET - REPORT TO SIXTY-NINTH LEGISLATIVE ASSEMBLY**"

Page 2, line 5, after "biennium" insert "and the one-time funding items included in the appropriation in section 1 of this Act"

Page 2, replace lines 7 through 18 with:

"Criminal history improvement system	\$400,000	\$0
Automated biometric identification system	300,000	0
Charitable gaming technology system	475,000	0
Additional income	250,000	0
Missing persons database	300,000	0
Prosecuting case management system	1,000,000	0
Charitable gaming tax information technology costs	50,000	0

Capital assets	1,111,706	2,818,877
Statewide litigation funding pool	4,650,000	5,000,000
Staff operating and equipment costs	0	792,090
Inflationary increases	0	156,463
Back the blue grants	0	3,500,000
Law enforcement resiliency grants	<u>0</u>	<u>400,000</u>
Total all funds	\$8,536,706	\$12,667,430
Total other funds	<u>8,536,706</u>	<u>2,050,084</u>
Total general fund	\$0	\$10,617,346

The 2023-25 biennium one-time funding amounts are not a part of the entity's base budget for the 2025-27 biennium. The attorney general shall report to the appropriations committees of the sixty-ninth legislative assembly on the use of this one-time funding for the biennium beginning July 1, 2023, and ending June 30, 2025.

**SECTION 3. ADDITIONAL INCOME - APPROPRIATION - REPORT.** In addition to the amounts appropriated to the attorney general in section 1 of this Act, there is appropriated from federal or other funds, the sum of \$250,000, or so much of the sum as may be necessary, to the attorney general for the purposes of defraying the expenses of the office, for the biennium beginning July 1, 2023, and ending June 30, 2025. The attorney general shall notify the office of management and budget and the legislative council of any funding made available pursuant to this section.

**SECTION 4. TRANSFER - STATEWIDE LITIGATION FUNDING POOL TO STATE AGENCIES - ESTIMATED INCOME - GAMING AND EXCISE TAX ALLOCATION FUND.** The statewide litigation funding pool line item in section 1 of this Act includes \$5,000,000, of which \$4,557,748 is from the general fund and \$442,252 is from the gaming and excise tax allocation fund, which the attorney general shall transfer to eligible state agencies for litigation expenses during the biennium beginning July 1, 2023, and ending June 30, 2025. The attorney general may not use funding from the litigation pool to pay judgments under section 32-12-04.

**SECTION 5. ESTIMATED INCOME - CHARITABLE GAMING TECHNOLOGY SYSTEM - CHARITABLE GAMING OPERATING FUND.** The estimated income line item in section 1 of this Act includes \$736,000 from the charitable gaming operating fund for defraying expenses related to the continued development and implementation of the charitable gaming technology system.

**SECTION 6. HUMAN TRAFFICKING VICTIMS GRANT PROGRAM - REQUIREMENTS - REPORTS.** The human trafficking victims grants line item in section 1 of this Act includes \$1,111,480 from the general fund for the purpose of providing grants to organizations involved in providing prevention and treatment services related to human trafficking victims and related administrative costs for the biennium beginning July 1, 2023, and ending June 30, 2025. The attorney general may provide grants for the development and implementation of direct care emergency or long-term crisis services, residential care, training for law enforcement, support of advocacy services, and programs promoting positive outcomes for victims. Any organization that receives a grant under this section shall report to the attorney general and the appropriations committees of the sixty-ninth legislative assembly on the use of the funds received and the outcomes of its program. The attorney general shall report to the legislative management during the 2023-24 interim on the status and results of the grant program.

**SECTION 7. FORENSIC NURSE EXAMINERS GRANT PROGRAM - REPORTS.** The forensic nurse examiners grants line item in section 1 of this Act includes \$252,872 from the general fund for the purpose of providing forensic nurse examiner program grants for community-based or hospital-based sexual assault examiner programs and related administrative costs, for the biennium beginning July 1, 2023, and ending June 30, 2025. Any organization that receives a grant under this section shall report to the attorney general and the appropriations committees of the sixty-ninth legislative assembly on the use of the funds received and the outcomes of its programs. The attorney general shall report to the appropriations committees of the sixty-ninth legislative assembly on the number of nurses trained, the number and location of nurses providing services related to sexual assault nurse examiner programs, and documentation of collaborative efforts to assist victims which includes nurses, the hospital or clinic, law enforcement, and state's attorneys.

**SECTION 8. BACK THE BLUE GRANT PROGRAM - MATCHING REQUIREMENT - REPORT TO SIXTY-NINTH LEGISLATIVE ASSEMBLY.** The law enforcement line item in section 1 of this Act includes \$3,500,000 from the general fund for the purpose of providing back the blue grants to assist local law enforcement agencies with workforce recruitment and retention, for the biennium beginning July 1, 2023, and ending June 30, 2025. Of the funding available under this program, \$1,500,000 is available exclusively to local law enforcement agencies employing ten or fewer employees working in a law enforcement capacity.

1. To be eligible for a grant under this section, a law enforcement agency must have incurred workforce recruitment and retention-related expenditures. Eligible expenditures include:
  - a. Bonuses paid to new and current law enforcement officers;
  - b. Tuition and fee payments made on behalf of law enforcement trainees; and
  - c. Costs to upgrade law enforcement equipment.
2. Law enforcement agencies seeking reimbursement for workforce recruitment and retention-related expenditures must submit a report of actual expenditures incurred to the attorney general with the grant application.
3. The attorney general:
  - a. May spend the funds for this program only to the extent the applicant has secured one dollar of matching funds from nonstate sources for every four dollars provided by the attorney general;
  - b. Shall reimburse each eligible applicant fifty percent of allowable expenditures;
  - c. May not award funding for this program to state or federal law enforcement entities; and
  - d. Shall report to the sixty-ninth legislative assembly regarding the number of grants awarded under this section.

**SECTION 9. LAW ENFORCEMENT RESILIENCY GRANT PROGRAM - REPORT TO SIXTY-NINTH LEGISLATIVE ASSEMBLY.** The law enforcement line item

in section 1 of this Act includes \$400,000 from the general fund for the purpose of providing law enforcement resiliency program grants, for the biennium beginning July 1, 2023, and ending June 30, 2025. Funding provided under this Act must be used to defray administrative, therapeutic, training, and outreach-related costs of providing mental health and wellness support services to current and retired correctional and law enforcement personnel. The attorney general shall establish guidelines to award funding under this section. Any organization that receives a grant under this section shall report to the attorney general and the attorney general shall report to the appropriations committees of the sixty-ninth legislative assembly on the use of the funds received and the outcomes of its programs.

**SECTION 10.** A new section to chapter 50-06 of the North Dakota Century Code is created and enacted as follows:

**Opioid settlement fund.**

There is created in the state treasury an opioid settlement fund. The fund consists of opioid litigation funds received by the state. Moneys received by the state as a result of opioid litigation must be deposited in the fund. Moneys in the fund may be used as authorized by legislative appropriation. The legislative assembly shall consult with the governor in determining the use of the moneys in the fund. As used in this section, "opioid litigation" means civil litigation, demand, or settlement in lieu of litigation alleging unlawful conduct related to the marketing, sale, or distribution of opioids in this state or other alleged illegal actions that contributed to the excessive use of opioids.

**SECTION 11. AMENDMENT.** Section 53-12.1-09 of the North Dakota Century Code is amended and reenacted as follows:

**53-12.1-09. Operating fund - Continuing appropriation - Authorization of disbursements - Report - Net proceeds.**

There is established within the state treasury the lottery operating fund into which must be deposited all revenue from the sale of tickets, interest received on money in the fund, and all other fees and moneys collected, less a prize on a lottery promotion, prize on a winning ticket paid by a retailer, and a retailer's commission. Except for moneys in the lottery operating fund appropriated by the legislative assembly for administrative and operating costs of the lottery under section 53-12.1-10, all other money in the fund is continuously appropriated for the purposes specified in this section. During each regular session, the attorney general shall present a report to the appropriations committee of each house of the legislative assembly on the actual and estimated operating revenue and expenditures for the current biennium and projected operating revenue and expenditures for the subsequent biennium authorized by this section. A payment of a prize or expense or transfer of net proceeds by the lottery may be made only against the fund or money collected from a retailer on the sale of a ticket. A disbursement from the fund must be for the following purposes:

1. Payment of a prize as the director deems appropriate to the owner of a valid, winning ticket;
2. Notwithstanding section 53-12.1-10, payment of a marketing expense that is directly offset by cosponsorship funds collected;

3. Payment of a gaming system or related service expense, retailer record and credit check fees, game group dues, and retailer commissions; and
4. Transfer of net proceeds:
  - a. Eighty thousand dollars must be transferred to the state treasurer each quarter for deposit in the gambling disorder prevention and treatment fund;
  - b. An amount for the lottery's share of a game's prize reserve pool must be transferred to the multistate lottery association;
  - c. Starting July 1, ~~2019~~2023, two hundred ~~fifty~~ thousand dollars must be transferred to the state treasurer each quarter for deposit in the attorney general multijurisdictional drug task force grant fund; and
  - d. The balance of the net proceeds, less holdback of any reserve funds the director may need for continuing operations, must be transferred to the state treasurer on at least an annual basis for deposit in the state general fund.

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

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

The annual salary of the attorney general is one hundred ~~sixty-five~~seventy-five thousand ~~eight~~nine hundred ~~forty-five~~twenty-eight dollars through June 30, ~~2022~~2024, and one hundred ~~sixty-nine~~eighty-two thousand ~~one~~nine hundred ~~sixty-two~~sixty-five dollars thereafter.

**SECTION 13. CRIMINAL HISTORY RECORD CHECKS - FEES.** Any individual or entity requesting a criminal history record check from the bureau of criminal investigation, as a result of legislation enacted by the sixty-eighth legislative assembly, shall pay a reasonable fee established by the attorney general to the attorney general to be deposited in the general fund for the biennium beginning July 1, 2023, and ending June 30, 2025.

**SECTION 14. EXEMPTION - CONTINGENT FEE ARRANGEMENT.** Notwithstanding section 54-12-08.1, the attorney general may contract for legal services compensated by a contingent fee arrangement for ongoing multistate technology litigation during the biennium beginning July 1, 2023, and ending June 30, 2025.

**SECTION 15. EXEMPTION - ATTORNEY GENERAL REFUND FUND.** Notwithstanding section 54-12-18, the attorney general may retain the balance in the attorney general refund fund which would otherwise be transferred to the general fund on June 30, 2023.

**SECTION 16. EXEMPTION - CONCEALED WEAPON REWRITE PROJECT.** The amount appropriated to the attorney general from the general fund for a concealed weapon rewrite project as contained in section 1 of chapter 37 of the 2015 Session Laws and continued into the 2017-19, 2019-21, and 2021-23 bienniums, is not subject to the provisions of section 54-44.1-11. Any unexpended funds from this appropriation are available to the attorney general for the concealed weapon rewrite project, during the biennium beginning July 1, 2023, and ending June 30, 2025.

**SECTION 17. EXEMPTION - CRIMINAL HISTORY IMPROVEMENT**

**PROJECT.** The amount of \$400,000 appropriated from the attorney general refund fund in the operating expenses line item for the criminal history improvement project in section 1 of chapter 3 of the 2021 Session Laws is not subject to section 54-44.1-11 and is available for the project during the biennium beginning July 1, 2023, and ending June 30, 2025.

**SECTION 18. EXEMPTION - COVID-19 FUNDS - JUSTICE ASSISTANCE**

**GRANTS.** The amount of \$2,082,871 appropriated from federal funds derived from COVID-19 funds for justice assistance grants during the 2019-21 biennium in section 1 of chapter 27 and continued into the 2021-23 biennium in section 2 of chapter 27 of the 2021 Session Laws is not subject to section 54-44.1-11 and is available for the program during the biennium beginning July 1, 2023, and ending June 30, 2025.

**SECTION 19. EXEMPTION - FEDERAL STATE FISCAL RECOVERY FUND.**

The amount of \$1,350,000 appropriated from federal funds derived from the state fiscal recovery fund, of which \$300,000 was for a missing persons database, \$1,000,000 was for the replacement of the prosecuting case management system, and \$50,000 was for charitable gaming information technology costs, in subsections 19, 20, and 42 of section 1 of chapter 550 of the 2021 Special Session Session Laws is not subject to section 54-44.1-11 and is available for the program during the biennium beginning July 1, 2023, and ending June 30, 2025.

**SECTION 20. LEGISLATIVE MANAGEMENT STUDY - STATE CRIME**

**LABORATORY.** During the 2023-24 interim, the legislative management shall study the services and needs of the North Dakota state crime laboratory, including staffing and equipment needs; the need for forensic scientists with training in firearms and fingerprint analysis; the feasibility and desirability of remodeling current state crime laboratory facilities, acquiring other vacant laboratory facilities in the state, and operating additional state crime laboratory facilities in the state; services the state crime laboratory should have the capability of providing to support law enforcement entities in the state; and whether the state crime laboratory should be administratively separate from the bureau of criminal investigation. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-ninth legislative assembly."

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

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

	<b>Base Budget</b>	<b>Senate Changes</b>	<b>Senate Version</b>
Salaries and wages	\$50,295,349	\$6,180,262	\$56,475,611
Operating expenses	15,237,498	2,450,937	17,688,435
Capital assets	648,055	2,912,522	3,560,577
Grants	3,903,440		3,903,440
Litigation fees	127,500		127,500
Medical examinations	660,000		660,000
North Dakota lottery	5,254,844	178,602	5,433,446
Arrest and return of fugitives	8,500		8,500
Gaming commission	7,489		7,489
Criminal justice information sharing	4,074,968	471,677	4,546,645
Law enforcement	3,048,927	4,145,778	7,194,705
Human trafficking victims grants	1,101,879	9,601	1,111,480
Forensic nurse examiners grants	250,691	2,181	252,872

State Crime Laboratory salary equity	537,297	(537,297)	
Statewide litigation pool		5,000,000	5,000,000
Additional income		250,000	250,000
Total all funds	\$85,156,437	\$21,064,263	\$106,220,700
Less estimated income	42,509,719	124,130	42,633,849
General fund	\$42,646,718	\$20,940,133	\$63,586,851
FTE	253.00	7.00	260.00

**Department 125 - Attorney General - Detail of Senate Changes**

	Adds Funding for the Cost to Continue Salaries <sup>1</sup>	Adds Funding for Salary and Benefit Increases <sup>2</sup>	Adjusts Funding for Prior Biennium Salary Equity Increases <sup>3</sup>	Adds Funding for FTE Positions <sup>4</sup>	Adds Funding for the Medicaid Fraud Control Unit <sup>5</sup>	Transfers the State Fire Marshal <sup>6</sup>
Salaries and wages	\$519,493	\$3,589,614		\$2,615,910	\$715,753	(\$1,797,805)
Operating expenses				772,912	102,419	(365,094)
Capital assets						
Grants						
Litigation fees						
Medical examinations						
North Dakota lottery	8,471	156,756				
Arrest and return of fugitives						
Gaming commission						
Criminal justice information sharing		76,341				
Law enforcement	14,398	222,387				
Human trafficking victims grants	936	8,665				
Forensic nurse examiners grants	198	1,983				
State Crime Laboratory salary equity						
Statewide litigation pool						
Additional income						
Total all funds	\$543,496	\$4,055,746	\$0	\$3,388,822	\$818,172	(\$2,162,899)
Less estimated income	151,470	1,548,160	(2,404,289)	0	271,880	(1,275,214)
General fund	\$392,026	\$2,507,586	\$2,404,289	\$3,388,822	\$546,292	(\$887,685)
FTE	0.00	0.00	0.00	12.00	3.00	(8.00)

	<b>Adjusts Base Level Funding<sup>7</sup></b>	<b>Adds Funding for Software Costs<sup>8</sup></b>	<b>Adds Funding for the Capitol Rent Model<sup>9</sup></b>	<b>Adds One-Time Funding for FTE Positions<sup>10</sup></b>	<b>Adds One-Time Funding for Capital Assets<sup>11</sup></b>	<b>Adds One-Time Funding for Inflationary Increases<sup>12</sup></b>
Salaries and wages	\$537,297					
Operating expenses	258,439	\$831,700	\$259,708	\$434,390		\$156,463
Capital assets	(264,055)			357,700	\$2,818,877	
Grants						
Litigation fees						
Medical examinations						
North Dakota lottery	13,375					
Arrest and return of fugitives						
Gaming commission						
Criminal justice information sharing	(261)	395,597				
Law enforcement	8,993					
Human trafficking victims grants						
Forensic nurse examiners grants						
State Crime Laboratory salary equity	(537,297)					
Statewide litigation pool						
Additional income						
<b>Total all funds</b>	<b>\$16,491</b>	<b>\$1,227,297</b>	<b>\$259,708</b>	<b>\$792,090</b>	<b>\$2,818,877</b>	<b>\$156,463</b>
Less estimated income	(791,961)	324,000	0	51,955	1,555,877	0
General fund	\$808,452	\$903,297	\$259,708	\$740,135	\$1,263,000	\$156,463
FTE	0.00	0.00	0.00	0.00	0.00	0.00

	<b>Adds One-Time Funding for the Litigation Funding Pool<sup>13</sup></b>	<b>Adds One-Time Funding for Law Enforcement Grants<sup>14</sup></b>	<b>Adds One-Time Funding for Additional Income<sup>15</sup></b>	<b>Total Senate Changes</b>
Salaries and wages				\$6,180,262
Operating expenses				2,450,937
Capital assets				2,912,522
Grants				
Litigation fees				
Medical examinations				
North Dakota lottery				178,602
Arrest and return of fugitives				
Gaming commission				
Criminal justice information sharing				471,677
Law enforcement		\$3,900,000		4,145,778
Human trafficking victims grants				9,601
Forensic nurse examiners grants				2,181
State Crime Laboratory salary equity				(537,297)
Statewide litigation pool	\$5,000,000			5,000,000
Additional income			\$250,000	250,000
<b>Total all funds</b>	<b>\$5,000,000</b>	<b>\$3,900,000</b>	<b>\$250,000</b>	<b>\$21,064,263</b>
Less estimated income	442,252	0	250,000	124,130
General fund	\$4,557,748	\$3,900,000	\$0	\$20,940,133
FTE	0.00	0.00	0.00	7.00

<sup>1</sup> Funding is added for the cost to continue salary increases.

<sup>2</sup> The following funding is added for 2023-25 biennium salary adjustments of 4 percent on July 1, 2023, and 4 percent on July 1, 2024, and increases in health insurance premiums from \$1,429 to \$1,648 per month:

	<b>General Fund</b>	<b>Other Funds</b>	<b>Total</b>
Salary increase	\$1,778,318	\$1,083,827	\$2,862,145
Health insurance increase	<u>729,268</u>	<u>464,333</u>	<u>1,193,601</u>
Total	\$2,507,586	\$1,548,160	\$4,055,746

<sup>3</sup> Funding of \$2,404,289 is adjusted for prior biennium salary equity increases for Bureau of Criminal Investigation (BCI), Medicaid Fraud Control Unit (MFCU), and State Crime Laboratory positions by reducing funding from the Attorney General refund fund and increasing funding from the general fund.

<sup>4</sup> Funding is added from the general fund for the following FTE positions:

	<b>FTE Positions</b>	<b>Salaries and Wages</b>	<b>Operating Expenses</b>	<b>Total</b>
Attorney positions	2.00	\$548,296	\$83,540	\$631,836
BCI cybercrime positions	3.00	677,355	162,621	839,976
BCI criminal investigator positions	3.00	677,355	162,674	840,029
State Crime Laboratory positions	<u>4.00</u>	<u>712,904</u>	<u>364,077</u>	<u>1,076,981</u>
Total	12.00	\$2,615,910	\$772,912	\$3,388,822

<sup>5</sup> Funding of \$840,029, including \$715,753 for salaries and wages and \$102,419 for related operating expenses, is added from the general fund for 3 FTE MFCU positions. In addition, funding for MFCU is adjusted by \$341,747 by reducing federal funds and increasing funding from the general fund to reflect a change in the federal-state cost-sharing of the program. Previously, the federal government provided funding for 90 percent of the costs of the MFCU program. The new federal funding rate is 75 percent.

<sup>6</sup> Funding of \$2,162,899 for 8 FTE positions for the State Fire Marshal is transferred from the Attorney General to the Insurance Commissioner. Funding removed in the Attorney General budget includes \$887,685 from the general fund, \$893,085 from the Attorney General operating fund, and \$382,129 from the Reduced Cigarette Ignition Propensity and Firefighter Protection Act enforcement fund.

<sup>7</sup> Base level funding is adjusted as follows:

	<b>General Fund</b>	<b>Other Funds</b>	<b>Total</b>
Transfers \$537,297 from the Attorney General refund fund for prior biennium State Crime Laboratory salary equity funding from a special line item to the salaries and wages line item	\$0	\$0	\$0
Adds funding for salary equity increases from the Attorney General operating fund	0	22,368	22,368
Reduces funding for operating expenses from the Attorney General operating fund	0	(22,368)	(22,368)
Adjusts funding for Information Technology (IT) Division and Criminal Justice Information Sharing (CJIS) Division operating expenses by reducing funding from the Attorney General refund fund	856,262	(856,262)	0
Adds funding for the BCI, State Crime Laboratory, and Gaming Division inflationary increases, including funding from the charitable gaming operating fund	125,000	20,000	145,000
Adds funding for gaming, licensing, and deposit projects operating expenses, including funding from the charitable gaming operating fund	37,000	37,000	74,000
Adds funding for Information Technology Department rate increases	54,245	7,301	61,546
Adds funding to replace Attorney General IT servers	54,000	0	54,000
Reduces funding for bond payments for the State Crime Laboratory	<u>(318,055)</u>	<u>0</u>	<u>(318,055)</u>
Total	\$808,452	(\$791,961)	\$16,491

<sup>8</sup> Funding is added for software upgrades, maintenance, and subscription costs, as follows:

	<b>General Fund</b>	<b>Other Funds</b>	<b>Total</b>
Adds funding for increased software maintenance and subscription costs	\$419,297	\$0	\$419,297
Adds federal funding for sexual assault kit tracking system software maintenance	0	180,000	180,000
Adds funding for the automated biometric identification system and data extraction software, of which \$144,000 is from federal funds	384,000	144,000	528,000
Adds funding for legal case search software, also known as Discovery software	<u>100,000</u>	<u>0</u>	<u>100,000</u>
Total	\$903,297	\$324,000	\$1,227,297

<sup>9</sup> Funding of \$259,708 is added from the general fund for a new Capitol space rent model.

<sup>10</sup> One-time funding of \$792,090 for operating expenses and capital assets for new FTE positions is added as follows:

	<b>General Fund</b>	<b>Other Funds</b>	<b>Total</b>
FTE attorney positions operating expenses	\$12,520	\$0	\$12,520
FTE BCI cybercrime positions operating expenses (\$159,717) and capital assets (\$153,300)	313,017	0	313,017
FTE BCI criminal investigator positions operating expenses (\$57,642) and capital assets (\$153,300)	210,942	0	210,942
FTE MFCU positions operating expenses (\$18,173) and capital assets (\$51,100), of which \$51,955 is from federal funds	17,318	51,955	69,273
FTE State Crime Laboratory operating expenses	<u>186,338</u>	<u>0</u>	<u>186,338</u>
Total	\$740,135	\$51,955	\$792,090

<sup>11</sup> One-time funding of \$2,818,877 is added for capital assets, as follows:

	<b>General Fund</b>	<b>Other Funds</b>	<b>Total</b>
State Crime Laboratory capital assets, including firearms and fingerprint software and testing equipment upgrades and the replacement of intoxilyzers. Of the total, \$754,677 is from federal funds.	\$886,000	\$754,677	\$1,640,677
Gaming Division and Consumer Protection and Antitrust Division vehicles and radios, of which \$51,100 is from the Attorney General refund fund and \$51,100 is from the charitable gaming operating fund	0	102,200	102,200
Gaming, licensing, and deposit software, including \$699,000 from the charitable gaming operating fund	177,000	699,000	876,000
Replacement of 10 undercover BCI vehicles	<u>200,000</u>	<u>0</u>	<u>200,000</u>
Total	\$1,263,000	\$1,555,877	\$2,818,877

<sup>12</sup> One-time funding of \$156,463 is added from the general fund for BCI, State Crime Laboratory, and Gaming Division inflationary increases.

<sup>13</sup> One-time funding of \$5,000,000 is added for the statewide litigation funding pool, of which \$4,557,748 is from the general fund and \$442,252 is from the gaming and excise tax allocation fund.

<sup>14</sup> One-time funding of \$3.9 million is added from the general fund for law enforcement grant programs, including \$3.5 million for a back the blue grant program and \$400,000 for a law enforcement resiliency grant program.

<sup>15</sup> One-time funding of \$250,000 is added from federal funds or other funds received during the 2023-25 biennium, the same amount provided for the 2017-19, 2019-21, and 2021-23 bienniums. This amount is appropriated in a separate section of the bill.

This amendment also adds sections to:

- Require the Attorney General to transfer funds appropriated in the statewide litigation funding pool line item to eligible state agencies for litigation expenses during the 2023-25 biennium and identifies \$442,252 appropriated in the estimated income line item for the statewide litigation funding pool is from the gaming excise tax allocation fund.

- Identify \$736,000 appropriated in the estimated income line item is from the charitable gaming operating fund for the continued development and implementation of the charitable gaming technology system.
- Identify \$1,111,480 appropriated from the general fund is for the purpose of providing grants to organizations involved in providing prevention and treatment services related to human trafficking victims. The Attorney General may provide grants for the development and implementation of direct care emergency or long-term crisis services, residential care, training for law enforcement, support of advocacy services, and programs promoting positive outcomes for victims. Any organization that receives a grant under this section is required to report to the Attorney General and the Appropriations Committees of the 69<sup>th</sup> Legislative Assembly on the use of the funds received and the outcomes of its program.
- Identify \$252,872 appropriated from the general fund is for the purpose of providing forensic nurse examiner program grants for community-based or hospital-based sexual assault examiner programs. Any organization that receives a grant under this section is required to report to the Attorney General and the Appropriations Committees of the 69<sup>th</sup> Legislative Assembly on the use of the funds received and the outcomes of its programs.
- Identify \$3.5 million appropriated from the general fund in the grants line item is for back the blue grants. Of this amount, \$1.5 million is available exclusively to local law enforcement agencies employing ten or fewer employees working in a law enforcement capacity. The Attorney General may spend funding for this program only to the extent the applicant has secured \$1 for every \$4 provided by the Attorney General.
- Identify \$400,000 appropriated from the general fund in the law enforcement line item is for a law enforcement resiliency grant program to be provided to defray the administrative, therapeutic, training, and outreach-related costs of providing mental health and wellness support services to current and retired correctional and law enforcement personnel.
- Creates a new section to North Dakota Century Code Chapter 50-06 to create an opioid settlement fund and deposit money received by the state as a result of opioid litigation in the fund.
- Amend Section 53-12.1-09 to increase transfers from the lottery operating fund to the multijurisdictional drug task force grant fund by \$50,000, from \$200,000 to \$250,000 each quarter. This change will reduce general fund revenue by \$400,000 for the 2023-25 biennium.
- Amend Section 54-12-11 to provide for the Attorney General's annual salary to increase from \$169,162 to \$175,928 effective July 1, 2023, and \$182,965 effective July 1, 2024, to reflect the 4 percent and 4 percent approved salary increases.
- Require any person or entity requesting a criminal record check from BCI to pay a reasonable fee as determined by the Attorney General. The funding must be deposited in the general fund during.
- Authorize the Attorney General to contract for legal services that are compensated by a contingent fee arrangement, relating to ongoing multistate technology litigation, during the 2023-25 biennium.
- Allow the Attorney General to retain the balance in the Attorney General refund fund at the end of the 2021-23 biennium to be used during the 2023-25 biennium, rather than transferring the balance to the general fund.
- Provide the Attorney General an exemption to continue any remaining funding appropriated from the general fund during the 2015-17 biennium and continued into the 2017-19, 2019-21, and 2021-23 bienniums for a concealed weapon rewrite project into the 2023-25 biennium.
- Provide the Attorney General an exemption to continue any remaining funding of the \$400,000 appropriated from the Attorney General refund fund during the 2021-23 biennium for the criminal history improvement project into the 2023-25 biennium.
- Provide the Attorney General an exemption to continue any remaining funding of the \$2,082,871 appropriated from federal COVID-19 funds during the 2019-21 biennium and continued into the 2021-23 biennium for justice assistance grants into the 2023-25 biennium.
- Provide the Attorney General an exemption to continue any remaining funding appropriated from the federal State Fiscal Recovery Fund during the 2021-23 biennium for a missing persons database (\$300,000), the replacement of the prosecuting case management system (\$1 million), and charitable gaming IT costs (\$50,000) into the 2023-25 biennium.
- Provide for a Legislative Management study of the services and needs of the State Crime Laboratory.