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Title.
Fiscal No. 3

Prepared by the Legislative Council
staff for Senate Appropriations -
Government Operations Division
Committee

April 3, 2025

Sixty-ninth
Legislative Assembly
of North Dakota

**PROPOSED AMENDMENTS TO
FIRST ENGROSSMENT**

Do Pass as Amended
ENGROSSED HOUSE BILL NO. 1003

Introduced by

Appropriations Committee

13-1-2

Sickler Carry

1 A BILL for an Act to provide an appropriation for defraying the expenses of the attorney general;
2 to create and enact a new chapter to title 51 of the North Dakota Century Code, relating to an
3 electronic smoking device directory, electronic smoking device manufacturing fee, and
4 electronic smoking fund; to amend and reenact sections 31-01-16 and 54-12-11, and 54-12-30
5 of the North Dakota Century Code, relating to compensation and mileage and travel expenses
6 for witnesses and the salary of the attorney general, and twenty-four seven sobriety program
7 fees; to provide for a report; to provide for a transfer; and to provide an exemption; and to
8 declare an emergency.

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

10 **SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds
11 as may be necessary, are appropriated out of any moneys in the general fund in the state
12 treasury, not otherwise appropriated, and from other funds derived from special funds and
13 federal funds, to the attorney general for the purpose of defraying the expenses of the attorney
14 general, for the biennium beginning July 1, 2025, and ending June 30, 2027, as follows:

	Base Level	Adjustments or Enhancements	Appropriation	
15				
16				
17	Salaries and wages	\$53,007,980	\$8,810,074	\$61,818,054
18	New and vacant FTE pool	0	4,455,869	4,455,869
19	Operating expenses	17,579,264	924,250	18,503,514

Sixty-ninth
Legislative Assembly

1	Salaries and wages	\$53,007,980	\$8,323,325	\$61,331,305
2	New and vacant FTE pool	0	4,988,501	4,988,501
3	Operating expenses	17,579,264	(1,014,920)	16,564,344
4	Prosecution witness fees	0	360,056	360,056
5	Capital assets	606,000	1,089,000	1,695,000
6	Grants	3,903,440	110,000	4,013,440
7	Human trafficking victims grants	1,110,614	656,900	1,767,514
8	Capital assets	606,000	1,391,280	1,997,280
9	Grants	3,903,440	0	3,903,440
10	Human trafficking victims grants	1,110,614	1,341,900	2,452,514
11	Forensic nurse examiners grants	252,676	1,568	254,244
12	Statewide litigation funding pool	0	8,000,000	8,000,000
13	Statewide litigation funding pool	0	5,000,000	5,000,000
14	Litigation fees	127,500	0	127,500
15	Medical examinations	660,000	0	660,000
16	Children's forensic interviews	304,560	0	304,560
17	North Dakota lottery	5,413,453	167,152	5,580,605
18	North Dakota lottery	5,413,453	171,709	5,585,162
19	Arrest and return of fugitives	8,500	0	8,500
20	Gaming commission	7,489	0	7,489
21	Criminal justice information sharing	4,579,950	2,749,467	7,329,417
22	Law enforcement	3,377,659	289,999	3,667,658
23	Total all funds	\$90,939,085	\$27,614,335	\$118,553,420
24	Less other funds	41,914,820	13,563,444	55,478,264
25	Total general fund	\$49,024,265	\$14,050,891	\$63,075,156
26	Full-time equivalent positions	266.00	4.00	270.00
27	Law enforcement	3,377,659	291,739	3,669,398
28	Total all funds	\$90,939,085	\$23,604,625	\$114,543,710
29	Less other funds	41,914,820	9,888,474	51,803,294
30	Total general fund	\$49,024,265	\$13,716,151	\$62,740,416
31	Full-time equivalent positions	266.00	3.00	269.00

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

SEVENTIETH LEGISLATIVE ASSEMBLY. The following amounts reflect the one-time funding items included in the appropriation in section 1 of this Act which are not included in the entity's base budget for the 2027-29 biennium and which the entity shall report to the appropriations committees of the seventieth legislative assembly regarding the use of this funding:

<u>One-Time Funding Description</u>	<u>General Fund</u>	<u>Other Funds</u>	<u>Total</u>
Operating and litigation expenses	\$0	\$2,000,000	\$2,000,000
<u>Bureau of criminal investigation equipment</u>	<u>\$161,000</u>	<u>\$0</u>	<u>\$161,000</u>
Laboratory equipment and supplies	400,000	554,000	954,000
Network switches	32,000	0	32,000
Undercover vehicles	0	540,000	540,000
Portable handheld radios	0	105,000	105,000
Intoxilyzers	0	188,000	188,000
Retired law enforcement dogs program	110,000	0	110,000
Human trafficking victims grants	650,000	0	650,000
Statewide litigation funding pool	0	8,000,000	8,000,000
<u>Statewide litigation funding pool</u>	<u>0</u>	<u>5,000,000</u>	<u>5,000,000</u>
Jail management system replacement	650,000	0	650,000
Statewide automated victim identification notification system replacement	0	1,500,000	1,500,000
Total	\$1,842,000	\$12,887,000	\$14,729,000
<u>Total</u>	<u>\$1,893,000</u>	<u>\$7,887,000</u>	<u>\$9,780,000</u>

SECTION 3. NEW AND VACANT FTE POOL - LIMITATION - TRANSFER REQUEST. The

attorney general may not spend funds appropriated in the new and vacant FTE pool line item in section 1 of this Act, but may request the office of management and budget to transfer funds from the new and vacant FTE pool line item to the salaries and wages line item and other line items with salaries and wages in accordance with the guidelines and reporting provisions included in House Bill No. 1015, as approved by the sixty-ninth legislative assembly.

SECTION 4. ADDITIONAL INCOME - APPROPRIATION - ONE-TIME FUNDING -

REPORT. In addition to the amounts appropriated to the attorney general in section 1 of this Act, there is appropriated from federal or special 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, 2025, and ending June 30, 2027. The attorney general shall notify the office of management and budget and the legislative council of any funding made available pursuant to this section. The funding provided in this section is considered a one-time funding item.

~~**SECTION 5. TRANSFER - CHARITABLE GAMING OPERATING FUND TO ATTORNEY GENERAL OPERATING FUND - 2023-25 BIENNIUM.** Notwithstanding section 53-06.1-11.2, the office of management and budget shall transfer \$2,000,000 from the charitable gaming operating fund to the attorney general operating fund by June 30, 2025, for the purpose of defraying operating and litigation expenses of the state during the period beginning with the effective date of this Act, and ending June 30, 2027.~~

SECTION 5. CONTINGENT FUNDING AND FULL-TIME EQUIVALENT POSITION

AUTHORIZATION - GUARDIANSHIP PROGRAMS. The salaries and wages line item, operating expenses line item, and capital assets line item in section 1 of this Act include the sum of \$385,355 from the general fund for one full-time equivalent position for guardianship programs. The attorney general may spend this funding and fill this position only if Senate Bill No. 2029 is approved by the sixty-ninth legislative assembly.

SECTION 6. CONTINGENT FUNDING - HUMAN TRAFFICKING VICTIMS GRANTS. The human trafficking victims grants line item in section 1 of this Act includes the sum of \$685,000 from the general fund for human trafficking victims grants for exploitation prevention and awareness education-related expenses. The attorney general may spend this funding only if Senate Bill No. 2330 is approved by the sixty-ninth legislative assembly.

SECTION 7. OTHER FUNDS - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND

TRANSFER - STATEWIDE LITIGATION FUNDING POOL TO STATE AGENCIES. The other funds line item in section 1 of this Act includes the sum of ~~\$10,466,000~~ \$7,466,000 from the strategic investment and improvements fund, of which \$321,000 is for state crime laboratory equipment and supplies, \$540,000 is for the replacement of bureau of criminal investigation undercover vehicles, \$105,000 is for portable handheld dual-band radios, ~~\$8,000,000~~ \$5,000,000 is for the statewide litigation funding pool, and \$1,500,000 is for the replacement of the statewide automated victim identification notification system. The attorney general shall transfer funding from the statewide litigation funding pool to eligible state agencies

1 for litigation expenses during the biennium beginning July 1, 2025, and ending June 30, 2027.

2 The attorney general may not use funding from the statewide litigation funding pool to pay
3 judgments under section 32-12-04.

4 **SECTION 8. HUMAN TRAFFICKING VICTIMS GRANT PROGRAM - REQUIREMENTS -**

5 **REPORTS.** The human trafficking victims grants line item in section 1 of this Act includes

6 ~~\$1,767,514~~ \$2,452,514 from the general fund for the purpose of providing grants to

7 organizations involved in providing prevention and treatment services related to human

8 trafficking victims and related administrative costs, for the biennium beginning July 1, 2025, and

9 ending June 30, 2027. The attorney general may provide grants for the development and

10 implementation of direct care emergency or long-term crisis services, residential care, training

11 for law enforcement, support of advocacy services, and programs promoting positive outcomes

12 for victims. Any organization that receives a grant under this section shall report to the attorney

13 general and the appropriations committees of the seventieth legislative assembly on the use of

14 the funds received and the outcomes of its programs. The attorney general shall report to the

15 legislative management during the 2025-26 interim on the status and results of the grant

16 program.

17 **SECTION 9. FORENSIC NURSE EXAMINERS GRANT PROGRAM - REPORTS.** The

18 forensic nurse examiners grants line item in section 1 of this Act includes \$254,244 from the

19 general fund for the purpose of providing forensic nurse examiner program grants for

20 community-based or hospital-based sexual assault examiner programs and related

21 administrative costs, for the biennium beginning July 1, 2025, and ending June 30, 2027. Any

22 organization that receives a grant under this section shall report to the attorney general and the

23 appropriations committees of the seventieth legislative assembly on the use of the funds

24 received and the outcomes of its programs. The attorney general shall report to the

25 appropriations committees of the seventieth legislative assembly on the number of nurses

26 trained, the number and location of nurses providing services related to sexual assault nurse

27 examiner programs, and documentation of collaborative efforts to assist victims which includes

28 nurses, the hospital or clinic, law enforcement, and state's attorneys.

29 ~~**SECTION 10. RETIRED LAW ENFORCEMENT DOGS PROGRAM - REIMBURSEMENT.**~~

30 ~~The grants line item in section 1 of this Act includes \$110,000 for a retired law enforcement~~

31 ~~dogs program, which the attorney general shall create to assist local and state law enforcement~~

~~dogs that are retired by reason of age or medical condition. The attorney general shall
reimburse the handler of a law enforcement dog if the handler is authorized to retain possession
of a retired law enforcement dog in a private setting at the handler's home and if the handler
submits itemized receipts each quarter for medical bills of the law enforcement dog.
Reimbursements made under the program may not exceed \$2,000 per retired law enforcement
dog per fiscal year. The attorney general shall adopt any rules necessary to implement this
section.~~

SECTION 10. BUREAU OF CRIMINAL INVESTIGATION CYBERCRIME RESOURCES.

The salaries and wages line item, operating expenses line item, and capital assets line item in section 1 of this Act includes the sum of \$825,000 from the general fund for the purpose of hiring two full-time equivalent bureau of criminal investigation cybercrime agent positions and for related equipment and capital asset costs. The personnel hired and resources purchased pursuant to this section must be dedicated to assisting a police department in a city in northeastern North Dakota with at least 50,000 residents with the prevention and detection of cybercrime.

SECTION 11. OTHER FUNDS - ELECTRONIC SMOKING FUND. The salaries and wages line item and operating expenses line item in section 1 of this Act include the sum of \$239,716 from the electronic smoking fund for a tobacco compliance auditor position to administer and enforce the provisions of section ~~42~~¹³ of this Act.

SECTION 12. AMENDMENT. Section 31-01-16 of the North Dakota Century Code is amended and reenacted as follows:

31-01-16. Compensation and mileage and travel expense of witness.

1. A witness in a civil or criminal case is entitled to receive:

~~4.~~ a. A sum of twenty-five dollars for each day necessarily in attendance before the district court or before any other board or tribunal, except municipal court.

~~2.~~ b. A sum for mileage and travel expense reimbursement equal to the reimbursement rates provided for state employees in sections 44-08-04 and 54-06-09.

2. In all criminal cases in district court, the attorney general shall pay prosecution witness fees and expenses, in an amount not to exceed ~~twenty-five thousand~~ thirty thousand dollars per county per biennium, and the commission on legal counsel for indigents

1 shall pay witness fees and expenses for witnesses in those cases in which counsel
2 has been provided by the commission. Prisoners may not be compensated as
3 witnesses under this section. If a county exceeds the thirty thousand dollar
4 reimbursement during a biennium, the county may enter an agreement with another
5 county for the purpose of allowing that county to receive another county's unused
6 reimbursement funds for that biennium, with the approval of the attorney general.

7 **SECTION 13.** A new chapter to title 51 of the North Dakota Century Code is created and
8 enacted as follows:

9 **Definition - Electronic smoking device directory - Electronic smoking device**
10 **manufacturer fee - Electronic smoking fund.**

- 11 1. The attorney general shall establish and maintain a directory of electronic smoking
12 devices containing nicotine that may be sold in this state.
- 13 2. An electronic smoking device must be included in the directory only if the
14 manufacturer of the electronic smoking device containing nicotine certifies, on a form
15 prescribed by the attorney general, the following:
- 16 a. The manufacturer has received a marketing granted order for the electronic
17 smoking device containing nicotine from the United States food and drug
18 administration;
- 19 b. The manufacturer marketed the electronic smoking device containing nicotine in
20 the United States as of August 8, 2016, and submitted a tobacco product
21 premarket application to the United States food and drug administration on or
22 before September 9, 2020, and the application either remains under review or
23 has received a denial order that has been and remains stayed by the United
24 States food and drug administration or a court order, rescinded by the United
25 States food and drug administration, or vacated by a court; or
- 26 c. The manufacturer can demonstrate the United States food and drug
27 administration has issued a rule, guidance, or other formal statement that
28 temporarily exempts the electronic smoking device containing nicotine from
29 federal premarket tobacco application requirements.
- 30 3. Each certification form must be accompanied by a fee of ~~five hundred~~two thousand
31 dollars for each electronic smoking device containing nicotine that is listed on the form.

A manufacturer of electronic smoking devices containing nicotine must submit an annual renewal fee of five hundred dollars to the attorney general. Revenue from the fees must be deposited in the electronic smoking fund.

4. There is created in the state treasury the electronic smoking fund. The fund consists of fees collected pursuant to subsection 3 and all moneys transferred to the fund by the legislative assembly. Moneys in the fund may be spent by the attorney general for the administration and enforcement of this chapter, subject to legislative appropriations.

5. Beginning January 1, 2026, only electronic smoking devices containing nicotine included in the directory may be sold in this state.

6. The attorney general shall promulgate rules necessary to administer and enforce this chapter. The rules must provide for at least two annual unannounced compliance checks of retailers, distributors, and wholesalers that sell electronic smoking devices containing nicotine.

7. As used in this section, "electronic smoking device" means any electronic product that delivers nicotine to the individual inhaling from the device, including an electronic cigarette, electronic cigar, electronic pipe, vape pen, or electronic hookah, and includes any component, part, or accessory of such product, including a consumable product that contains nicotine and is intended to be used with an electronic smoking device, whether or not sold separately. The term does not include drugs, devices, or combination products approved for sale by the United States food and drug administration and defined in the Federal Food, Drug, and Cosmetic Act of 1938.

SECTION 14. 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 seventy-nine thousand three hundred twelve~~ one hundred ninety-two thousand seventy-nine dollars through June 30, 2024~~2026~~, and ~~one hundred eighty-six thousand four hundred eighty-four~~ one hundred ninety-seven thousand eight hundred forty-one dollars thereafter.

SECTION 15. AMENDMENT. Section 54-12-30 of the North Dakota Century Code is amended and reenacted as follows:

54-12-30. Twenty-four seven sobriety program fees.

A criminal justice agency may collect program fees from offenders participating in the twenty-four seven sobriety program, including fees for twice per day breath alcohol testing, urine testing, drug patch testing, installation and deactivation fees for remote electronic alcohol monitoring devices, and remote electronic alcohol monitoring daily fees. A district court judge or judicial referee may not waive program fees for offenders participating in the twenty-four seven sobriety program. The criminal justice agency shall pay all program fees into the general fund of the governing body. The fees may only be applied to twenty-four seven sobriety program support services, equipment maintenance and replacement, and compliance with the program. The governing body shall pay any daily fees collected for remote electronic alcohol monitoring to the twenty-four seven sobriety program fund.

SECTION 16. 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-ninth 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, 2025, and ending June 30, 2027.

SECTION 17. 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, 2025, and ending June 30, 2027.

SECTION 18. 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, 2025.

SECTION 19. EXEMPTION - UNEXPENDED APPROPRIATIONS. The following appropriations are not subject to the provisions of section 54-44.1-11 and may be continued into the biennium beginning July 1, 2025, and ending June 30, 2027:

1. The amount appropriated to the attorney general from other funds for the statewide automated victim identification and notification system as contained in sections 1 and 8 of chapter 3 of the 2017 Session Laws, continued into the 2019-21 biennium for the statewide automated victim identification and notification system, and continued

- 1 into the 2021-23 biennium and 2023-25 biennium for the legal case management
2 system in section 17 of chapter 35 of the 2023 Session Laws.
- 3 2. The sum of \$400,000 appropriated from the attorney general refund fund for the
4 criminal history improvement project in section 1 of chapter 3 of the 2021 Session
5 Laws, and continued into the 2023-25 biennium section 18 of chapter 35 of the 2023
6 Session Laws.
- 7 3. The sum of \$1,000,000 appropriated from the federal state fiscal recovery fund for the
8 replacement of the prosecuting case management system in subsection 20 of
9 section 1 of chapter 550 of the 2021 Special Session Session Laws and continued into
10 the 2023-25 biennium in section 21 of chapter 35 of the 2023 Session Laws.
- 11 4. The sum of \$736,000 appropriated from the charitable gaming operating fund for the
12 charitable gaming technology system in section 1 of chapter 35 of the 2023 Session
13 Laws.
- 14 5. The sum of \$177,000 appropriated from the general fund for a licensing and deposit
15 software system in section 1 of chapter 35 of the 2023 Session Laws.
- 16 6. The sum of \$1,772,038 appropriated from federal funds for the justice community
17 oriented policing services anti-methamphetamine program in section 1 of chapter 35 of
18 the 2023 Session Laws.

19 ~~SECTION 20. EMERGENCY. Section 5 of this Act is declared to be an emergency~~
20 ~~measure.~~

21 **SECTION 20. EXEMPTION - STATEWIDE LITIGATION FUNDING POOL.** The sum of
22 \$3,000,000 appropriated from the general fund as a deficiency appropriation for the statewide
23 litigation funding pool during the 2023-25 biennium, as approved by the sixty-ninth legislative
24 assembly in House Bill No. 1024, is not subject to section 54-44.1-11 and any unexpended
25 funds may be continued into the biennium beginning July 1, 2025, and ending June 30, 2027.

STATEMENT OF PURPOSE OF AMENDMENT:**House Bill No. 1003 - Attorney General - Senate Action**

	Base Budget	House Version	Senate Changes	Senate Version
Salaries and wages	\$53,007,980	\$61,818,054	(\$486,749)	\$61,331,305
New and vacant FTE pool		4,455,869	532,632	4,988,501
Operating expenses	17,579,264	18,503,514	(1,939,170)	16,564,344
Prosecution witness fees		360,056		360,056
Capital assets	606,000	1,695,000	302,280	1,997,280
Grants	3,903,440	4,013,440	(110,000)	3,903,440
Litigation fees	127,500	127,500		127,500
Human trafficking victims grants	1,110,614	1,767,514	685,000	2,452,514
Forensic nurse examiners grants	252,676	254,244		254,244
Statewide litigation funding pool		8,000,000	(3,000,000)	5,000,000
Medical examinations	660,000	660,000		660,000
Children's forensic interviews	304,560	304,560		304,560
North Dakota Lottery	5,413,453	5,580,605	4,557	5,585,162
Arrest and return of fugitives	8,500	8,500		8,500
Gaming Commission	7,489	7,489		7,489
Criminal justice information sharing	4,579,950	7,329,417		7,329,417
Law enforcement	3,377,659	3,667,658	1,740	3,669,398
Additional income		250,000		250,000
Total all funds	\$90,939,085	\$118,803,420	(\$4,009,710)	\$114,793,710
Less estimated income	41,914,820	55,728,264	(3,674,970)	52,053,294
General fund	\$49,024,265	\$63,075,156	(\$334,740)	\$62,740,416
FTE	266.00	270.00	(1.00)	269.00

Department 125 - Attorney General - Detail of Senate Changes

	Reduces Funding for Salary and Benefit Increases ¹	Adjusts Funding for FTE Positions ²	Adjusts Funding for 2025-27 New and Vacant FTE Pool ³	Adds Funding for Salary Equity Increases ⁴	Adjusts Funding Sources - General Fund - Other Funds ⁵	Adds Contingent Funding for Human Trafficking Victims Grants ⁶
Salaries and wages	(\$45,617)	(\$134,799)	(\$591,813)	\$285,480		
New and vacant FTE pool			532,632			
Operating expenses		60,830				
Prosecution witness fees						
Capital assets		302,280				
Grants						
Litigation fees						
Human trafficking victims grants						\$685,000
Forensic nurse examiners grants						
Statewide litigation funding pool						
Medical examinations						
Children's forensic interviews						
North Dakota Lottery				4,557		
Arrest and return of fugitives						
Gaming Commission						
Criminal justice information sharing						
Law enforcement				1,740		
Additional income						
Total all funds	(\$45,617)	\$228,311	(\$59,181)	\$291,777	\$0	\$685,000
Less estimated income	(27,524)	(464,480)	0	37,460	2,744,134	0
General fund	(\$18,093)	\$692,791	(\$59,181)	\$254,317	(\$2,744,134)	\$685,000
FTE	0.00	(1.00)	0.00	0.00	0.00	0.00

	Adjusts Funding for Medical Examinations and Children's Forensic Interviews ¹	Removes Funding from Gaming Tax Revenues ²	Removes One- Time Funding for a Retired Law Enforcement Dogs Program ³	Reduces One- Time Funding for the Statewide Litigation Funding Pool ⁴	Total Senate Changes
Salaries and wages					(\$486,749)
New and vacant FTE pool					532,632
Operating expenses		(\$2,000,000)			(1,939,170)
Prosecution witness fees					
Capital assets					302,280
Grants			(\$110,000)		(110,000)
Litigation fees					
Human trafficking victims grants					685,000
Forensic nurse examiners grants					
Statewide litigation funding pool				(\$3,000,000)	(3,000,000)
Medical examinations					
Children's forensic interviews					4,557
North Dakota Lottery					
Arrest and return of fugitives					
Gaming Commission					
Criminal justice information sharing					
Law enforcement					1,740
Additional income					
Total all funds	\$0	(\$2,000,000)	(\$110,000)	(\$3,000,000)	(\$4,009,710)
Less estimated income	(964,560)	(2,000,000)	0	(3,000,000)	(3,674,970)
General fund	\$964,560	\$0	(\$110,000)	\$0	(\$334,740)
FTE	0.00	0.00	0.00	0.00	(1.00)

¹ Funding for salary increases and health insurance increases are reduced as follows related to the removal of 3 FTE attorney positions from the base budget:

	General Fund	Other Funds	Total
Salary increase	(\$11,788)	(\$15,814)	(\$27,602)
Health insurance increase	(6,305)	(11,710)	(18,015)
Total	(\$18,093)	(\$27,524)	(\$45,617)

² Funding for FTE positions is adjusted as follows:

	<u>FTE Positions</u>	<u>General Fund</u>	<u>Other Funds</u>	<u>Total</u>
Removes FTE positions from the base budget, including \$221,997 from federal funds and \$242,483 from special funds. Of the total, \$60,000 is removed for operating expenses.	(3.00)	(\$322,132)	(\$464,480)	(\$786,612)
Removes a FTE executive staff officer position added by the House, of which \$26,310 was for operating expenses	(1.00)	(195,432)	0	(195,432)
Adds FTE Bureau of Criminal Investigation (BCI) cybercrime agents, including \$74,000 for operating expenses, \$90,000 of ongoing funding for capital assets, and \$161,000 of one-time funding for capital assets	2.00	825,000	0	825,000
Adds a contingent FTE BCI agent for guardianships, including \$73,140 for operating expenses and \$51,280 for capital assets. A section is added to the bill to designate the FTE position and funding contingent on the passage of Senate Bill No. 2029.	<u>1.00</u>	<u>385,355</u>	<u>0</u>	<u>385,355</u>
Total	(1.00)	\$692,791	(\$464,480)	\$228,311

³ Funding of \$591,813 for new FTE positions is removed and \$532,632 is added for a 2025-27 new and vacant FTE pool line item, to provide total funding as follows:

	<u>General Fund</u>	<u>Other Funds</u>	<u>Total</u>
New FTE positions	(\$994,938)	(\$418,128)	(\$1,413,066)
Vacant FTE positions	<u>(3,456,437)</u>	<u>(1,853,195)</u>	<u>(5,309,632)</u>
Total	(\$4,451,375)	(\$2,271,323)	(\$6,722,698)
Funding pool line item	<u>3,314,949</u>	<u>1,673,552</u>	<u>4,988,501</u>
Net savings	(\$1,136,426)	(\$597,771)	(\$1,734,197)

⁴ Adds funding for salary equity increases, including \$254,317 from the general fund, \$16,775 from federal funds, \$16,128 from the Attorney General refund fund, and \$4,557 from the lottery operating fund.

⁵ Ongoing funding of \$2,744,134 in the base budget, which the House appropriated from the general fund rather than from the Attorney General refund fund, is appropriated from the Attorney General refund fund in the Senate version. The funding relates to prior biennium salary equity increases (\$1,790,559) and operating expenses (\$953,575).

⁶ Ongoing funding of \$685,000 is added from the general fund for human trafficking victims grants for exploitation prevention and awareness education. A section is added to the bill to designate this funding contingent on the passage of Senate Bill No. 2330.

⁷ Funding for medical examinations (\$660,000) and children's forensic interviews (\$304,560) is appropriated from the general fund rather than the insurance regulatory trust fund to comply with provisions of Senate Bill No. 2292, which was approved by both the Senate and House.

⁸ One-time funding of \$2 million added by the House for operating and litigation expenses is removed. The Senate also removed sections added by the House providing for a transfer of the \$2 million from the charitable gaming operating fund to the Attorney General operating fund rather than to the general fund during the 2023-25 biennium. The Senate change will increase general fund revenues by \$2 million.

⁹ One-time funding of \$110,000 from the general fund added by the House for a retired law enforcement dogs program is removed. A section regarding the program added by the House is also removed.

¹⁰ One-time funding for the statewide litigation funding pool is reduced by \$3 million to provide a total of \$5 million from the strategic investment and improvements fund (SIIF). The House provided \$8 million from SIIF.

House Bill No. 1003 - Other Changes - Senate Action

This amendment also:

- Amends a section related to the new and vacant FTE pool.
- Amends a section identifying \$7,466,000 appropriated in Section 1 from SIIF. The House appropriated \$10,466,000 from SIIF.
- Amends a section identifying funding for human trafficking victim grants.
- Adds a section to provide the 2 FTE BCI cybercrime agent positions and related equipment and capital assets is for assisting a police department in a city in Northeastern North Dakota with at least 50,000 residents with the prevention and detection of cybercrime.
- Amends a section added by the House regarding an electronic smoking device directory to increase the statutory fee on electronic smoking devices from \$500 to \$2,000 and establishes a \$500 annual renewal fee. Fee collections are deposited in the electronic smoking fund.
- Adds a section to amend Section 54-12-30 to provide district court judges and judicial referees may not waive program fees for participants of the 24/7 sobriety program.
- Adds a section to provide the Attorney General an exemption to continue any remaining funding of the \$3 million appropriated from the general fund to the Attorney General as a deficiency appropriation for the statewide litigation funding pool in House Bill No. 1024 (2025) into the 2025-27 biennium.

