

**FIRST ENGROSSMENT
with Senate Amendments
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 section 54-12-11 and subsection 1 of section 57-51-15 of the North
3 Dakota Century Code, relating to the salary of the attorney general and to gross production tax
4 allocation; to provide for a report to the budget section; and to declare an emergency.

5 BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

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

		Adjustments or		
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>	
11				
12				
13	Salaries and wages	\$29,506,046	\$7,425,372	\$36,931,418
14	Operating expenses	16,418,016	4,135,959	20,553,975
15	Capital assets	1,943,783	419,294	2,363,077
16	Grants	3,420,000	(1,046,053)	2,373,947
17	Energy impact - law enforcement	0	10,000,000	10,000,000
18	Litigation fees	50,000	0	50,000
19	Abortion litigation fees	0	400,000	400,000
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	<u>7,368</u>	<u>0</u>	<u>7,368</u>
24	Total all funds	\$55,715,455	\$21,768,151	\$77,483,606

1	Less estimated income	<u>24,485,610</u>	<u>14,681,010</u>	<u>39,166,620</u>
2	Total general fund	\$31,229,845	\$7,087,141	\$38,316,986
3	Full-time equivalent positions	204.00	11.50	215.50

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

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

8	<u>One-Time Funding Description</u>	<u>2011-13</u>	<u>2013-15</u>
9	Federal stimulus funds	\$2,355,708	\$0
10	Crime lab equipment and BCI vehicles	312,400	0
11	NICS Improvement Act - 2007	585,859	0
12	Energy impact grants - law enforcement	0	10,000,000
13	BCI vehicles	<u>0</u>	<u>198,000</u>
14	Total all funds	\$3,253,967	\$10,198,000
15	Total special funds	<u>2,941,567</u>	<u>10,000,000</u>
16	Total general fund	\$312,400	\$198,000

17 The 2013-15 one-time funding amounts are not a part of the entity's base budget for the
18 2015-17 biennium. The attorney general shall report to the appropriations committees of the
19 sixty-fourth legislative assembly on the use of this one-time funding for the biennium beginning
20 July 1, 2013, and ending June 30, 2015.

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

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

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

26 **FUND - REPORT TO BUDGET SECTION.** The energy impact - law enforcement line item in
27 section 1 of this Act includes \$10,000,000, or so much of the sum as may be needed, from the
28 oil and gas impact grant fund, for grants to law enforcement agencies, for crime-related needs
29 of the office of attorney general, and for the development of a uniformed law enforcement and
30 custody manual. The drug and violent crime policy board of the attorney general shall, with
31 approval of the board of university and school lands, grant funds to law enforcement agencies

1 in oil-impacted counties where crime-related activities have increased or in other counties if the
2 crime-related activities in oil-impacted counties originated in any of those counties. The attorney
3 general may spend up to ten percent of the funding provided under this section for defraying the
4 expenses of additional staffing or other needs necessary to accomplish the role of the office of
5 attorney general as an assisting agency in ensuring public safety in the affected areas. The
6 attorney general may use up to \$750,000 of the funding provided under this section for the
7 development of a uniformed law enforcement and custody manual. The attorney general shall
8 report to the budget section after June 30, 2014, on the impact the grant funding has had on
9 crime-related activities.

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

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

13 The annual salary of the attorney general is one hundred ~~thirty-four~~forty-three thousand
14 ~~one~~six hundred ~~thirty-five~~eighty-five dollars through June 30, ~~2012~~2014, and one hundred
15 ~~thirty-eight~~forty-nine thousand ~~one~~four hundred ~~fifty-nine~~thirty-two dollars thereafter.

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

- 18 1. First the tax revenue collected under this chapter equal to one percent of the gross
19 value at the well of the oil and one-fifth of the tax on gas must be deposited with the
20 state treasurer who shall:
 - 21 a. Allocate five hundred thousand dollars per fiscal year to each city in an
22 oil-producing county which has a population of seven thousand five hundred or
23 more and more than two percent of its private covered employment engaged in
24 the mining industry, according to data compiled by job service North Dakota. The
25 allocation under this subdivision must be doubled if the city has more than seven
26 and one-half percent of its private covered employment engaged in the mining
27 industry, according to data compiled by job service North Dakota;
 - 28 b. Credit revenues to the oil and gas impact grant fund, but not in an amount
29 exceeding one hundred ten million dollars per biennium; and
 - 30 c. Allocate the remaining revenues under subsection 3.

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