

TESTIMONY OF

Colonel Brandon Solberg, Superintendent

Criminal Interdiction Team Justification

Overdose deaths are now exceeding traffic fatalities in North Dakota, and the supply of lethal drugs like fentanyl are being transported up and down our state's highways.

State troopers are in a unique position to interrupt this supply network, but dedicated resources are needed to cover around 14,000 miles of paved roads in our state.

Every highway patrol agency in our bordering states have over two dozen officers dedicated to criminal interdiction. Up until this biennium, our agency had no dedicated officers.

The executive budget recommendation would backfill five post locations that were closed to start our agency's first criminal interdiction team. Five additional officers would allow the team to expand into the northwest and northeast regions.

These northern regions include three tribal nations that are requesting law enforcement assistance due to the drug trafficking trends and harmful outcomes.

Security & Protection Team Justification

During the 2021 legislative session, the highway patrol turned back two non-sworn capitol security positions in order to meet the executive budget guidelines.

These two positions were not restored and have reduced the level of service provided to the public officials, state team members, and visitors at the capitol.

At one point the highway patrol had two full-time sworn officers assigned to capitol security, but 13 sworn officer positions have been removed from the highway patrol's budget since 2017 so remaining positions have been re-prioritized over time.

FTE Cost Breakdown

The cost breakdowns for the 15 positions included in the executive budget recommendation are below:

- ***Five (5) Criminal Interdiction Team Members – Backfill***
 - \$1,420,420 ongoing state funding at \$284,084 per position
 - 86% General: \$1,221,560
 - 14% Highway Tax Distribution Fund: \$198,860
 - \$265,000 one-time at \$53,000 per position for initial equipment
 - 86% General: \$228,000
 - 14% Highway Tax Distribution Fund: \$37,000
- ***Five (5) Criminal Interdiction Team Members – New***
 - \$1,420,420 ongoing state funding at \$284,084 per position
 - 86% General: \$1,221,560
 - 14% Highway Tax Distribution Fund: \$198,860
 - \$265,000 one-time at \$53,000 per position for initial equipment expenses
 - *NOTE: One-time cost inadvertently omitted in initial request.*
 - 86% General: \$228,000
 - 14% Highway Tax Distribution Fund: \$37,000
- ***Two (2) Security & Protection Officers***
 - \$568,170 ongoing state funding at \$284,085 per position
 - 86% General: \$489,066
 - 14% Highway Tax Distribution Fund: \$79,104
 - \$106,000 one-time at \$53,000 per position for initial equipment
 - *NOTE: One-time cost inadvertently omitted in initial request.*
 - 86% General: \$91,160
 - 14% Highway Tax Distribution Fund: \$14,840
- ***One (1) Statewide Drug Recognition Expert (DRE) Program Coordinator***
 - \$284,082 ongoing federal spending authority
 - 100% National Highway Traffic Safety Administration funding
 - \$53,000 in one time state equipment costs
 - *NOTE: One-time cost inadvertently omitted in initial request.*
 - 86% General: \$45,580
 - 14% Highway Tax Distribution Fund: \$7,420

- ***Two (2) Motor Carrier Safety Assistance Program (MCSAP) Officers***
 - \$674,358 ongoing federal spending authority and state funding
 - Federal MCSAP funding at a 95/5% match for eligible hours
 - Current estimate is that 75% of time will be MCSAP-eligible
 - Projected ongoing estimate using 75% of time with 95/5% split:
 - 71.25% Federal: \$480,480
 - State Funds: \$193,888
 - 86% General: \$166,735
 - 14% Highway Tax Distribution Fund: \$27,153
 - \$106,000 one-time at \$53,000 per position for initial equipment
 - *NOTE: One-time cost inadvertently omitted in initial request.*
 - Projected one-time estimate using 75% of time with 95/5% split:
 - 71.25% Federal: \$75,525
 - State Funds: \$30,475
 - 86% General: \$26,209
 - 14% Highway Tax Distribution Fund: \$4,266

Appropriation Consideration Details

- ***Base Budget Limit Adjustments***
 - \$173,840 for NDIT rate increases
 - \$358,926 for costs to continue salaries
- ***One-Time Equipment Costs***
 - \$53,000 for one-time costs for new sworn officer positions
- ***Salary Adjustments***
 - \$117,830 for two of the criminal interdiction team members who would be supervisors with a higher salary
 - \$200 monthly per diem for new sworn officer positions
 - On-call pay of 1/5 time based on authorized salary increases

Bill Section Considerations

- ***Highway Patrol PERS Fund Infusion***
 - Motor carrier electronic permit fund transfer authority if an infusion such as \$3 million is approved

- ***E-Share Federal Spending Authority***

- NDCC change to allow the highway patrol to receive and use federal asset forfeiture funds under an equitable sharing (e-share) agreement
- Draft language pending legal review

- ***CVIEW Project Carry-Over***

- Commercial Vehicle Information Exchange Window project is MCSAP-funded at 100%
- NDIT relayed that the project will not be completed this biennium
- \$300,000 in federal spending authority
 - \$232,500 carry-over from the 2021-23 biennium
 - Estimated NDIT project management costs for the 2023-25 biennium