
AGENCY OVERVIEW**125 Office of the Attorney General****Date:** 12/23/2014**Time:** 11:48:56

Statutory Authority

ND Constitution Article V, Section 12. North Dakota Century Code Chapters 5-02, 12-60, 12-62, 12.1-34, 18-01, 18-13, 23-15-04, 32-12.2-03, 32-12.2-04, 43-31-14, 51-04-03, 51-15, 51-28, 53-04.1-03, 53-06.1, 53-12.1, 54-6, 54-12, 57-36-02.

Agency Description

The Office of the Attorney General represents and defends the interest of the citizens of North Dakota by executing the responsibilities charged to the North Dakota Attorney General by the North Dakota Constitution, state statutes and administrative rules, North Dakota and federal case law, and common law. The Attorney General is the chief legal counsel and advisor to state government providing legal representation to all facets of state government, including the Governor, all departments of state government, and all state agencies, boards, and commissions. The office consists of 13 divisions: Administration, Bureau of Criminal Investigation, Civil Litigation, Consumer Protection and Antitrust, Crime Laboratory, Criminal and Regulatory, Finance and Administration, Fire Marshal, Gaming, Information Technology, Lottery, Natural Resources and Indian Affairs, and State and Local Government.

Agency Mission Statement

The Attorney General's office consists of dedicated professionals providing vital services necessary to ensure quality government in North Dakota. The office efficiently and impartially provides quality law enforcement, regulatory, investigatory, legal and informational services for the benefit of North Dakota's citizens.

Agency Performance Measures

This agency does not currently use performance measures. Office services provided include:

- Payment of office bills and payroll.
- Office budget preparation, implementation, and management.
- Office receptionist services; filing; information processing.
- Records and forms management.
- Billing for legal and Fire Marshal services.
- Purchasing and printing services for all office divisions
- Support and troubleshoot computer connectivity issues (sometimes with assistance from the state's Information Technology Department) for all office locations through the state's backbone network.
- Support computer applications which enable the various business functions of the office to conduct business.
- Backup and restore computer files as needed, and maintain disaster/recovery and contingency plans.
- Provide strategic planning for the office and address IT needs for all office divisions.
- Evaluate and implement additional computerized services based on current technology trends where applicable.
- Evaluate and provide tools to facilitate information technology effectiveness and efficiencies.
- Aging software and hardware planning and replacement in an effective and efficient manner to enable the office to fulfill its business goals effectively.
- Project management of all IT projects utilizing current market standard methodology.
- Producing software using internal programming staff and contractors to meet the ongoing and future needs of the office when purchasing software is too expensive or it does not meet office needs.
- An IT help desk service for logging and evaluation of computer problems and requests for services.
- Ongoing computer security needs evaluation and planning as industry changes and to meet market demands.
- Development and maintenance of policies and procedures for office IT related areas.
- Critical applications, computer servers, and network support after normal work hours.
- Office discussions about business processes and how computer and software technology can help accomplish office goals.
- Effectively maintaining IT data to easily provide information to the public as needed.
- Support to external IT customers who have access to the office network, servers, and applications.

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- Administrative assistance to other divisions in the agency.
- Support to the Attorney General and coordination of special projects.
- General information provision regarding North Dakota laws to the general public.
- Office representation on various boards and commissions.
- Human resource administration services and public information services to other office divisions.
- Legal advice and representation to state officials, agencies, boards, commissions, and councils.
- Legal defense to state employees as required by state law.
- Advice and consultation for state's attorneys and city attorneys on legal matters.
- Processing business licensing applications.
- Collecting business license fees, miscellaneous types of revenue, and taxes.
- Issuing licenses for wholesale and retail alcoholic beverage establishments, wholesale and retail tobacco dealers, games of chance organizations, gaming equipment distributors and manufacturers, tobacco vendors, polygraph operators, fair boards, transient merchants, coin-operated amusement device machines and operators, and wholesale fireworks dealers.
- Providing assistance to local law enforcement agencies in investigating cybercrime, homicide, sexual assault, child abuse, arson, terrorism, polygraph, photography, and other services.
- Coordination of intelligence services provided by the Statewide Law Enforcement Intelligence Center and assist local law enforcement to target investigations and resources effectively. Gather, analyze, and disseminate information to law enforcement.
- Undercover personnel, confidential funds, special surveillance equipment, intelligence information, and training for local law enforcement agencies.
- Dedicated controlled substance trafficking investigations through participation in 8 narcotics task forces, including supervision for 7 of the 8.
- Forensic examinations of computers involved in criminal activity for state, local, and federal law enforcement agencies.
- Case management system maintenance to document investigations and provide copies to appropriate persons.
- Maintenance of a statewide criminal history record information system, and providing this information to the federal criminal history database.
- Criminal history record checks to criminal justice agencies and courts, numerous non-criminal justice record check requesters, and to the general public.
- Concealed weapon licenses and a system for tracking that information.
- Statewide 24/7 Sobriety program coordination.
- Central Warrant Information System (CWIS), Uniform Crime Reporting (UCR), and a Protection and Restraining Order System maintenance.
- Automated Fingerprint Identification System (AFIS) for identification and criminal investigation purposes.
- Statistical reports to criminal justice agencies, government agencies, and interested persons.
- Assistance to the Drug and Violent Crime Policy Board in setting guidelines for awarding grants, and to local agencies in preparing grant applications.
- Monitoring local drug grant programs, audit expenditures of funds, and maintaining detailed records of all grant activities.
- Law enforcement and corrections officers training, maintaining officer training records and issuance of peace officer licenses.
- Offer training to the general public, businesses, and other agencies on a variety of law enforcement issues including drug awareness issues and other criminal activity.
- A statewide sex offender and offenders against children registration system which requires these offenders to register and verifies their addresses every six months for most offenders and every 90 days for lifetime registrants, and maintaining a registered offender's website for lifetime registrants and high-risk offenders.
- Physical and toxicological evidence examinations provided to local, state, and federal law enforcement agencies, the military, prosecutors, and defense attorneys.
- Analysis of clandestine drug laboratories.
- A DNA database of felony arrestees convicted and registered offenders.
- Follow-up on referrals to local, state, and federal agencies involving death investigations.
- Equipment selection, inspection, repair, and training of law enforcement staff in breath alcohol analysis.
- Expert evidence testimony in courts.
- Investigating consumer complaints and violations of antitrust, consumer fraud, non-profit corporation, transient merchant, and do-not-call laws, etc., and taking legal action to obtain injunctive relief, civil penalties, restitution and other equitable relief.
- Investigation participation and prosecution of consumer criminal violations.

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- Statewide consumer fraud and education presentations to the elderly, students, civic and professional groups, etc., and providing consumer warnings.
- Coordinating consumer protection investigations, enforcement and education with other federal, state and local law enforcement and regulatory agencies, including participation in multi-state investigations and legal actions.
- Consumer fraud training for law enforcement.
- Researching state and federal consumer fraud law and issues and assisting state and federal legislators in the development and implementation of consumer and antitrust issues legislation.
- Administration, regulation, and provision of enforcement for the charitable gaming industry.
- Assistance to local law enforcement officials, gaming organizations, distributors, manufacturers, and the general public regarding gaming laws and rules, recordkeeping, and preparation of tax returns.
- State Gaming Commission assistance in drafting proposed gaming laws and rules and conducting public hearings.
- Conducting outreach gaming training sessions for organization board members, gaming employees and volunteers.
- Developing standard recordkeeping systems and model systems of internal control for gaming organizations.
- A quarterly gaming newsletter.
- Gaming compliance and financial office and field audits of licensees.
- Gaming distributor records and gaming tax returns processing and reviews.
- The collection of delinquent gaming taxes, interest, penalties, and monetary fines.
- Illegal gaming activity and thefts investigations and coordination.
- Criminal history record checks for potential gaming employees.
- Laboratory testing bingo and pull-tab dispensing devices, bingo card marking devices, and bar code reading devices.
- Gaming businesses manufacturing pull tabs and paper bingo cards inspections.
- Gaming legislative research and legislative testimony at hearings.
- Gaming administrative complaints, assesses monetary fines, and imposes appropriate sanctions.
- Indian casinos inspections to ensure compliance with tribal-state Indian gaming compacts.
- Fire inspections in educational facilities, state buildings, child-care facilities, flammable material storage sites, and assembly occupancies.
- On-scene fire investigations.
- Technical support in arson cases.
- Technical support for incidents involving hazardous material releases.
- Compiling fire incident and property loss information to determine statewide fire problem.
- Public fire education programs.
- Interpreting the state fire code.
- Training local officials in fire investigations, hazardous material incident response, and fire prevention.
- Providing National Fire Incident Reporting System training and support to fire departments.
- Processing, testing, enforcement, and oversight activities regarding the Reduced Ignition Propensity for Cigarettes.
- Processing Lottery retailer license applications; collecting application, license, credit check, and record check fees; and selecting eligible retailers.
- Forecasting lottery tickets sales and state general fund revenue transfers.
- Training Lottery retailers to promote games and training retailer employees on sales strategies and how to redeem winning lottery tickets.
- Paying certain lottery tier prizes directly to players.
- Lottery news releases, quarterly retailer newsletters, and quarterly and annual financial statements.
- New lottery rules and laws proposals and enforcing laws and rules compliance.
- Working with the Lottery Advisory Commission, on-line gaming system vendor, advertising agency, and the security firm.
- Working with 25 state agencies on a lottery prize debt setoff program.
- Applying security policies and procedures to protect Lottery assets.

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- Complying with the Multi-State Lottery Association's computer gaming system and computer internal control system requirements, game security standards, system standards for new lottery implementations, and game rules.

Major Accomplishments

1. Awarded and managed \$9.6 million aimed at improving criminal justice programs in oil impacted communities and \$7.0 million for sheriffs' departments in oil impacted areas.
2. Increased the number of participants in the 24/7 Sobriety program as a result of new requirements set forth in 2013 legislative session. Participants increased from 3,143 in March 2012 to 6,509 total participants in March 2014.
3. Implemented multiple program changes to the system including a change in the criminal history look back period (record check reviews looking at possible criminal acts that have occurred since the initial criminal history check), longer license length, extending the processing period, and eliminating local law enforcement approval requirements.
4. Teamed with local law enforcement partners in establishing task forces which are having a significant impact on major drug trafficking organizations.
5. Processed 39,086 requests for criminal history record information in 2013. Of those, 24,162 were requests for data from the state database and 14,924 were requests for fingerprint based searches of the FBI database.
6. Reduced drug chemistry turn-around time to less than 30 days by the addition of a forensic scientist to the staff.
7. Represented and continues to represent the state in proceedings dealing with the Master Settlement Agreement and the state's compliance with the Tobacco Sales Act, which resulted in \$51.6 million collected during the biennium.
8. Represented the Department of Human Services in 276 cases and assisted in the recovery of \$2.6 million in Medicaid fraud funds.
9. Defended the constitutionality of the 2011 Legislative Session's House Bill No. 1297, the Abortion Control Act, and appealed a district court's finding of unconstitutionality to the North Dakota Supreme Court.
10. Sued the United States Forest Service over public access in North Dakota's 1.2 million acres of national grasslands. The Forest Service has taken unprecedented steps to close unimproved roads and trails and restrict access in the grasslands.
11. Assisted state officials to develop and implement strategies to significantly reduce pollutants from power plants, while at the same time responded to initiatives by the US Environmental Protection Agency (EPA) that are too restrictive, too costly, of uncertain effectiveness, and that usurp state sovereignty and expertise.

Future Critical Issues**Medical and Recreational Marijuana**

A strategy to address the recent national trends legalizing the use of medical and recreational marijuana should be devised in the near future. This would help ensure advocate organizations are not the only voices the public and government officials hear. The criminal justice and health services communities need to unite as one and develop a public service campaign that clearly conveys the true facts and consequences of these legalization actions.

Criminal Investigator Work Demands

The increase in the state's population due to the energy industry and good business climate has become very taxing on Bureau of Criminal Investigation (BCI) criminal investigator's time, resources, and well-being. Criminal investigators are investigating crimes that have not traditionally occurred in this state, including gang activity, murder for hire, organized crime including organized drug trafficking, and human trafficking crimes. This new, very mobile workforce is responsible for not only trafficking drugs from their home state but also introducing new drug producing methods.

Criminal investigators continue to provide a service to local law enforcement, but the office has to be more selective in what type of crimes this office investigates. The office needs to choose only the most serious and dangerous crimes, as criminal investigators' time has become much more in demand. For the last couple years, this office has had to turn down some cases because of time and personnel limits. The office also has to be mindful to ensure criminal investigators are allowed time off to spend with family and get some rest. Additional criminal investigators would help ensure this is possible.

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The office would like to open two new locations in Watford City and in southwest North Dakota that require new criminal investigators. These areas have been identified because of the enormous growth in crime. The Dickinson office has found it hard to respond to the extreme southwest part of the state. A southwest office would fix that problem.

The new positions received last session have enabled the office to conduct some proactive investigations and participate in some larger cases with federal partners.

Oil Impact Area needs

The office has requested an Oil Impact Law Enforcement package which will fund the following:

Watford City is the center of much of the Bakken energy activity and it is critical to have a field office presence there, with staff readily available to work with local law enforcement. Adding two criminal investigators in this area will provide expertise and assistance to help investigate major crimes occurring there, including murder for hire, fraud and large thefts. These positions will provide assistance to the local task force, allowing that task force to be more proactive in narcotics investigations. This other funds request totals \$509,764 for the two positions and related operating expenses.

Human trafficking cybercrime continues to grow in size and complexity. Two criminal investigators assigned to Williston will help address the substantial needs in the Bakken region and will provide for adequate peer review, consultation and assistance to Internet Crimes Against Children (ICAC) affiliates. This other funds request totals \$589,704 for two positions and related operating expenses.

Two State and Local Intelligence Center (SLIC) intelligence analysts have been funded by federal funds. That funding is ending. The service provided by the analysts is complex and crucial to law enforcement in resolving crimes. These positions need to be retained to keep up with the ever increasing demands of local law enforcement. This other funds request totals \$267,712 for two positions.

Ninety-five percent of unregistered sex offenders are from out-of-state. Many times repeated inquiries must be made to other jurisdictions to obtain adequate history so that out-of-state offenders may be properly classified based on the seriousness of their sexual offenses. Additional assistance is needed to alleviate an increasing backlog of unclassified sex offenders. This administrative assistant position and related operating expenses request totals \$122,334 from other funds.

Criminal activities in southwest North Dakota have increased due to the energy activity. Adding an investigator in southwest North Dakota will provide expertise and assistance in investigation of the major crimes occurring in that area. This position will assist the associated task force to be more proactive in narcotics investigations by providing coordination abilities to the member law enforcement agencies. This position and associated operating expenses request totals \$246,122 from other funds.

New criminal investigators and the current case management system have created a large, challenging case management workload. Further assistance is needed to stay up-to-date in managing the narcotics buy fund, tracking statistics and other necessary administrative functions. This requested administrative assistant and associated operating expenses total \$122,334 from other funds.

The Law Enforcement oil grants have demanded nearly 100% of a current grant manager's time and as a result, federal grant work originally assigned to this position has been very difficult to complete. A grants administrative assistant position is needed to help better manage the office's oil and federal grants to meet the office's obligations. The estimated cost of this position and associated operating expenses is \$122,334 from other funds.

After Williams County received High Intensity Drug Trafficking Act (HIDTA) designation in November 2013, the Midwest HIDTA Executive Board approved federal funding for a prosecutor to work out of the Minot and Williston offices. This position was approved by the 2013-15 biennium Emergency Commission and the Budget Section to add

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a High Intensity Drug Trafficking Act (HIDTA) attorney in the oil patch area in the Spring of 2014. The requested full-time prosecutor position will spearhead the HIDTA drug prosecution efforts in the Bakken area. It is funded by federal HIDTA funds (\$162,686) and monies from the Oil Patch Law Enforcement grant (\$123,377).

The Emergency Commission and Budget Section approved hiring a .5 attorney position to assist in the Criminal/Regulatory legal division. This position provides assistance to local prosecutors in oil impacted counties. The estimated cost of this .5 position and associated operating expenses is \$153,968 from other funds.

Without the requested staff updates, the Criminal and Regulatory Division has 2 attorneys to respond to all of the State's requests for prosecutorial assistance. In addition the oil boom and related increase in crime has resulted in additional Highway Patrol officers, BCI criminal investigators, Parole and Probation officers and Crime Lab staff, all of whom rely on the office's legal advice. This attorney is the bare minimum necessary to keep up with the increase workload. This request totals \$184,657 from other funds for 1 attorney and related operating expenses.

The Crime Lab DNA unit has a significant workload; current turn-around time is 134 days. In just 2 years the caseload has increased 59% (263 cases submitted in 2011 to 417 cases submitted in 2013). The addition of a forensic scientist will allow the unit to process DNA cases in a timelier manner. The requested other funds for this position and associated operating expenses is \$142,311 from other funds.

Criminal investigators are underpaid compared to their counterparts (Highway Patrol officers with 5 years' experience are paid \$56,000 per year, Belfield Police Department is paying \$57,000 per year and there are similar findings throughout the state). Starting criminal investigators, with 5 years' experience, are paid \$48,235 per year after probation. The office is requesting \$650 per month per investigator in additional compensation to move all investigators in their pay grades and help ensure the office is able to attract strongly experienced staff to the office. This other funds request totals \$846,281 from other funds.

Oil impact law enforcement grants of \$20,000,000 are requested from other funds. The local law enforcement needs include: law enforcement officers, state's attorneys, victim witness advocates, domestic violence prevention staff and administrative staff members; staff overtime; equipment; supplies; housing allowances, brick and mortar housing and training. The oil impacted political subdivisions indicated the following needs for more personnel: 23.2% need 1 staff member, 19.6% need 2 staff members, 16.1% need 3 staff members, 5.4% need 4 staff members and 14.3% need 5 or more staff members. These grants will be awarded through the Drug and Violent Crime policy board as has been done during the 2013-15 biennium.

Information Technology Division Infrastructure and Program Needs

The office's BCI and Crime Lab relies heavily on the expertise and skills of the office's Information Technology (IT) division to develop new programs, and maintain and support current and existing projects. Approximately 80-90% of all IT services used in this office are for the BCI and Crime Lab.

It is essential that the Information Technology division receive the funding, staff and other resources needed to ensure that critical existing programs function efficiently, that project funding deadlines can be met, and delays in development are kept at a minimum. Some of these systems BCI uses daily are outdated and/or ineffective and need immediate attention in order to ensure continued work productivity. Unfortunately, funding and staff to support and upgrade these systems is not readily available, and as a result, delays in upgrades and support are frequent due to the competing demands for limited IT services.

Work Demands Met Long-Term by Temporary Staff

To meet this office's obligations and statutory requirements, over the last eight years, BCI has relied on a total of nine full-time and two part-time temporary and volunteer staff. These important staff members complete routine and ongoing tasks in the intelligence, business services, offender registration, and concealed weapon license sections, whose workloads have skyrocketed. Temporary staff should be utilized for temporary work, rather than ongoing, increasing workloads. To retain trained staff and

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reduce turnover, these employees should be placed in full-time positions and adequately compensated with employee benefits for the important, ongoing services they provide.

Loss of Federal Funding

The BCI and Crime Lab depend on federal grant funds in order to carry out the many law enforcement projects needed by the state. The current trend of reduced federal funding continues to challenge the office to stretch each and every dollar. The BCI anticipates losing federal funding in 2015 for two intelligence analysts assigned to the ND State and Local Intelligence Center. Their analytical services help local, state, federal, and tribal law enforcement counterparts target their resources more efficiently and effectively, and are critical to putting the pieces together in the complex investigations the state is experiencing. State support for these two positions is essential to providing these services and leveraging resources on all levels of law enforcement.

The Paul Coverdell Grant has historically funded training and attendance to scientific meetings for Crime Lab staff. Over the past few years the level of federal funding has decreased. Training is essential for all staff at the Lab to be and stay proficient in their respective disciplines.

Concealed Weapon Licenses

This program continues to grow beyond the office's current staffing capacity. Interest in obtaining licenses is attributed primarily to personal safety concerns as well as the reciprocity of North Dakota's license. A total of 30,998 licenses were active as of February 2014, with 22,063 issued in 2011-13. This is a 259% increase in licenses issued compared to 2009-2011. Based on current numbers, the office estimates 22,000 or more new and renewed licenses will be issued during the remainder of the 2013-15 biennium. In addition to the tremendous growth, an unanticipated challenge has been the time needed to process the significantly increased number of denials due to misrepresentation of information by applicants. To ensure that the office is able to continually meet its statutory obligations and issue the licenses within the 60-day turn-around period mandated by statute, adequate staffing and support is needed, which includes providing the needed full-time positions.

Sex Offender Registration

The transient work force has created a number of challenges for the sex offender registration program. Offenders who come to North Dakota work for short time periods and frequently move about the state, changing employment, home address, or both. Gathering historical information on new offenders from other state jurisdictions is time consuming and difficult. Numerous calls, emails, and follow-up calls are needed to gather information for the Sex Offender Risk Assessment Committee (SORAC), to adequately complete a threat level assessment and grant the risk level for these individuals. Once registered and assessed, subsequent changes in offender demographics and address verifications are frequent. To ensure the office is able to stay current with all of the changes, the addition of a position is necessary.

Agent Salaries

Recruiting experienced agents is difficult due to lower than average salaries compared to other North Dakota agencies. BCI requires five years of law enforcement experience to apply for a criminal investigator position. All other agencies hire with no experience but do require basic police training. BCI gathered salary and benefit information from local North Dakota law enforcement agencies and discovered starting salaries for inexperienced law enforcement is, on average, \$6,000 more annually than what BCI offers for five years of experience. The goal is to assist law enforcement with experienced, knowledgeable staff that has the expertise to develop and to lead complex investigations. To ensure the office is able to provide this service, it is imperative that these staff be adequately compensated.

Salary Compression – All Staff

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Recruiting staff is difficult due to low salaries offered by this office. Market adjustment pay has only slightly improved the positions of staff within their pay grades, and has ignored the salaries of long-term experienced staff that should be compensated beyond the midpoint range. A supplemental salary package that allows this office to hire new staff at higher, more competitive rates, and which allows the office to address the salaries of all staff by moving individuals to an appropriate point in their pay grade is necessary to attract qualified employees and retain seasoned, experienced staff.

Funding for an Additional Position

The Crime Lab recognizes the importance of providing adequate and timely services to the law enforcement and justice entities of the state. The goal of the lab is to provide scientific support to the state's criminal justice system by use of accepted techniques in the analysis, identification, and comparison of physical evidence involved in the investigation and prosecution of criminal offenses. By adding more staff, lab services will be enhanced in all areas: investigation, prosecution, and adjudication.

The lab is requesting funding for 1 new position for the lab. The DNA Unit has a significant workload; current turn-around time is 134 days. In just two years the caseload has increased 59% (263 cases submitted in 2011 to 417 cases submitted in 2013). Increases of over 59% within the DNA Unit are not sustainable without an additional forensic scientist. Current trending charts indicate case submissions will continue to increase in biological screening, DNA casework, and DNA database caseload. An additional forensic scientist staff member is needed to help alleviate the significant workload increases in the DNA Unit. Having an additional permanent position will allow the unit to process cases in a timely manner. The increased turn-around time causes delays for law enforcement agencies and the justice system.

Building Space

A feasibility study is essential to determine additional space needs for the Crime Lab building. The Lab needs to assess its current and future needs by examining the services provided to law enforcement, existing space utilization, and infrastructure. The recommended standard ratio for laboratory space is 1000 ft² per staff member. The Lab currently has 27 staff members and the ratio is roughly 700 ft². Additional working space is not available in the current building; the space needs to be properly ventilated and secure for evidence processing and storage.

REQUEST SUMMARY125 Office of the Attorney General
Biennium: 2015-2017

Bill#: SB2003

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Description	Expenditures 2011-2013 Biennium	Present Budget 2013-2015	Budget Request Change	Requested Budget 2015-2017 Biennium	Optional Budget Request
By Major Program					
Finance and Administration	1,886,774	2,281,831	19,333	2,301,164	0
Information Technology	5,507,529	11,475,866	(3,326,122)	8,149,744	705,883
Attorney General Administration	1,096,888	1,327,445	6,182	1,333,627	4,800
Legal Services	6,852,553	8,904,618	(118,093)	8,786,525	950,874
Bureau of Criminal Investigation	17,279,919	39,331,610	(11,694,662)	27,636,948	24,454,218
Crime Lab	6,821,772	9,836,487	191,542	10,028,029	353,412
Consumer Protection	1,597,101	1,997,540	(23,224)	1,974,316	0
Gaming	2,681,608	3,103,487	36,249	3,139,736	343,303
Fire Marshal	1,352,122	2,114,873	(127,440)	1,987,433	0
Lottery	2,705,489	4,133,821	1,086,502	5,220,323	0
Total Major Program	47,781,755	84,507,578	(13,949,733)	70,557,845	26,812,490
By Line Item					
Salaries and Wages	28,160,094	35,250,562	1,024,968	36,275,530	1,253,598
Accrued Leave Payments	0	1,057,247	(1,057,247)	0	0
Operating Expenses	10,370,351	26,828,056	(2,657,723)	24,170,333	1,297,260
Capital Assets	1,910,728	2,363,077	(361,567)	2,001,510	257,677
Technology Project Carryover	393,512	505,000	(505,000)	0	0
Grants	1,655,471	2,373,947	(611,288)	1,762,659	0
Law Enforcement Grants	0	9,600,000	(9,600,000)	0	24,003,955
Litigation Fees	211,715	118,500	(68,500)	50,000	0
NICS	101,184	0	0	0	0
Abortion Litigation Fees	0	400,000	0	400,000	0
Medical Examinations	395,600	660,000	0	660,000	0
North Dakota Lottery	2,705,489	4,133,821	1,086,502	5,220,323	0
Arrest and Return of Fugitives	17,595	10,000	0	10,000	0
Gaming Commission	6,822	7,368	122	7,490	0
Remote Alcohol Monitors	0	1,200,000	(1,200,000)	0	0
Federal Stimulus Funds - 2009	1,853,194	0	0	0	0
Total Line Items	47,781,755	84,507,578	(13,949,733)	70,557,845	26,812,490
By Funding Source					
General Fund	31,890,279	38,920,128	(1,351,502)	37,568,626	2,046,308
Federal Funds	7,726,977	9,270,995	(790,879)	8,480,116	292,037
Special Funds	8,164,499	36,316,455	(11,807,352)	24,509,103	24,474,145
Total Funding Source	47,781,755	84,507,578	(13,949,733)	70,557,845	26,812,490
Total FTE	204.00	213.50	(1.00)	212.50	19.50

REQUEST DETAIL125 Office of the Attorney General
Biennium: 2015-2017

Bill#: SB2003

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Description	Expenditures 2011-2013 Biennium	Present Budget 2013-2015	Budget Request Change	Requested Budget 2015-2017 Biennium	Optional Budget Request
Salaries and Wages					
Salaries - Permanent	20,168,427	24,473,036	433,420	24,906,456	600,140
Salary Budget Adjustment	0	0	0	0	174,898
Salaries - Other	7,240	156,000	(142,800)	13,200	199,473
Temporary Salaries	310,864	728,001	(57,867)	670,134	0
Overtime	130,271	286,821	197,219	484,040	0
Fringe Benefits	7,543,292	9,606,704	594,996	10,201,700	279,087
Total	28,160,094	35,250,562	1,024,968	36,275,530	1,253,598
Salaries and Wages					
General Fund	24,151,281	28,407,994	1,060,809	29,468,803	608,573
Federal Funds	1,156,943	1,440,975	(259,602)	1,181,373	131,847
Special Funds	2,851,870	5,401,593	223,761	5,625,354	513,178
Total	28,160,094	35,250,562	1,024,968	36,275,530	1,253,598
Accrued Leave Payments					
Salaries - Permanent	0	1,051,047	(1,051,047)	0	0
Fringe Benefits	0	6,200	(6,200)	0	0
Total	0	1,057,247	(1,057,247)	0	0
Accrued Leave Payments					
General Fund	0	945,564	(945,564)	0	0
Federal Funds	0	0	0	0	0
Special Funds	0	111,683	(111,683)	0	0
Total	0	1,057,247	(1,057,247)	0	0
Operating Expenses					
Travel	846,556	1,409,485	47,200	1,456,685	20,400
Supplies - IT Software	630,829	1,183,164	35,000	1,218,164	268,682
Supply/Material-Professional	82,972	231,128	0	231,128	900
Food and Clothing	38,404	71,886	0	71,886	0
Bldg, Ground, Maintenance	242,654	321,080	0	321,080	0
Miscellaneous Supplies	44,077	191,968	(40,000)	151,968	2,800
Office Supplies	180,361	250,456	0	250,456	5,438
Postage	120,406	182,347	0	182,347	6,101
Printing	106,156	216,589	0	216,589	788
IT Equip Under \$5,000	237,894	440,152	(22,600)	417,552	8,675
Other Equip Under \$5,000	1,361,801	2,627,449	13,600	2,641,049	10,000
Office Equip & Furn Supplies	74,766	214,737	(4,500)	210,237	22,120

REQUEST DETAIL125 Office of the Attorney General
Biennium: 2015-2017

Bill#: SB2003

Date: 12/23/2014

Time: 11:48:56

Description	Expenditures 2011-2013 Biennium	Present Budget 2013-2015	Budget Request Change	Requested Budget 2015-2017 Biennium	Optional Budget Request
Utilities	150,959	242,228	0	242,228	0
Insurance	70,708	118,944	0	118,944	4,376
Rentals/Leases-Equip & Other	67,158	504,011	0	504,011	1,450
Rentals/Leases - Bldg/Land	1,062,264	1,515,165	26,830	1,541,995	748,275
Repairs	668,967	826,308	2,000	828,308	715
IT - Data Processing	594,904	835,338	(86,258)	749,080	156,946
IT - Communications	364,787	407,662	18,856	426,518	9,594
IT Contractual Srvcs and Rprs	1,384,132	4,610,367	(2,348,660)	2,261,707	0
Professional Development	285,342	440,481	17,000	457,481	28,000
Operating Fees and Services	1,014,792	8,054,683	(260,000)	7,794,683	2,500
Fees - Professional Services	305,390	882,177	(56,191)	825,986	(500)
Medical, Dental and Optical	434,072	1,050,251	0	1,050,251	0
Total	10,370,351	26,828,056	(2,657,723)	24,170,333	1,297,260
Operating Expenses					
General Fund	6,217,408	6,863,850	0	6,863,850	1,180,058
Federal Funds	2,857,100	5,318,248	(505,191)	4,813,057	0
Special Funds	1,295,843	14,645,958	(2,152,532)	12,493,426	117,202
Total	10,370,351	26,828,056	(2,657,723)	24,170,333	1,297,260
Capital Assets					
Other Capital Payments	762,520	765,852	(369)	765,483	0
Equipment Over \$5000	777,973	1,136,398	(138,003)	998,395	37,677
Motor Vehicles	284,447	434,827	(434,827)	0	220,000
IT Equip/Sftware Over \$5000	85,788	26,000	211,632	237,632	0
Total	1,910,728	2,363,077	(361,567)	2,001,510	257,677
Capital Assets					
General Fund	1,285,458	966,852	(198,369)	768,483	257,677
Federal Funds	613,085	647,825	585,202	1,233,027	0
Special Funds	12,185	748,400	(748,400)	0	0
Total	1,910,728	2,363,077	(361,567)	2,001,510	257,677
Technology Project Carryover					
IT Contractual Srvcs and Rprs	393,512	505,000	(505,000)	0	0
Total	393,512	505,000	(505,000)	0	0

Technology Project Carryover

General Fund 0 0 0 0 0

REQUEST DETAIL125 Office of the Attorney General
Biennium: 2015-2017

Bill#: SB2003

Date: 12/23/2014

Time: 11:48:56

Description	Expenditures 2011-2013 Biennium	Present Budget 2013-2015	Budget Request Change	Requested Budget 2015-2017 Biennium	Optional Budget Request
Federal Funds	0	0	0	0	0
Special Funds	393,512	505,000	(505,000)	0	0
Total	393,512	505,000	(505,000)	0	0

Grants

Grants, Benefits & Claims	1,644,577	2,309,722	(761,288)	1,548,434	0
Transfers Out	10,894	64,225	150,000	214,225	0
Total	1,655,471	2,373,947	(611,288)	1,762,659	0

Grants

General Fund	0	0	0	0	0
Federal Funds	1,145,471	1,863,947	(611,288)	1,252,659	0
Special Funds	510,000	510,000	0	510,000	0
Total	1,655,471	2,373,947	(611,288)	1,762,659	0

Law Enforcement Grants

Salaries - Permanent	0	290,951	(290,951)	0	1,368,796
Salaries - Other	0	0	0	0	846,281
Overtime	0	0	0	0	45,144
Fringe Benefits	0	127,482	(127,482)	0	624,227
Travel	0	49,250	(49,250)	0	128,195
Supplies - IT Software	0	350	(350)	0	16,500
Supply/Material-Professional	0	159,267	(159,267)	0	15,352
Food and Clothing	0	0	0	0	8,400
Bldg, Ground, Maintenance	0	513	(513)	0	15,525
Miscellaneous Supplies	0	2,700	(2,700)	0	16,110
Office Supplies	0	3,875	(3,875)	0	16,496
Postage	0	500	(500)	0	11,135
Printing	0	250	(250)	0	1,752
IT Equip Under \$5,000	0	0	0	0	46,325
Other Equip Under \$5,000	0	19,538	(19,538)	0	1,200
Office Equip & Furn Supplies	0	0	0	0	66,620
Insurance	0	125	(125)	0	17,883
Rentals/Leases-Equip & Other	0	313	(313)	0	3,394
Rentals/Leases - Bldg/Land	0	12,500	(12,500)	0	85,097
Repairs	0	2,188	(2,188)	0	30,192
IT - Data Processing	0	14,998	(14,998)	0	52,216
IT - Communications	0	4,750	(4,750)	0	24,570
Professional Development	0	31,875	(31,875)	0	73,750
Operating Fees and Services	0	3,124	(3,124)	0	14,813

REQUEST DETAIL125 Office of the Attorney General
Biennium: 2015-2017

Bill#: SB2003

Date: 12/23/2014

Time: 11:48:56

Description	Expenditures 2011-2013 Biennium	Present Budget 2013-2015	Budget Request Change	Requested Budget 2015-2017 Biennium	Optional Budget Request
Fees - Professional Services	0	31,312	(31,312)	0	6,407
Equipment Over \$5000	0	204,139	(204,139)	0	266,375
Motor Vehicles	0	0	0	0	160,000
IT Equip/Sftware Over \$5000	0	0	0	0	41,200
Grants, Benefits & Claims	0	8,640,000	(8,640,000)	0	20,000,000
Total	0	9,600,000	(9,600,000)	0	24,003,955

Law Enforcement Grants

General Fund	0	0	0	0	0
Federal Funds	0	0	0	0	160,190
Special Funds	0	9,600,000	(9,600,000)	0	23,843,765
Total	0	9,600,000	(9,600,000)	0	24,003,955

Litigation Fees

Travel	51,631	39,200	(20,000)	19,200	0
Supply/Material-Professional	60	0	0	0	0
Office Supplies	1,221	0	0	0	0
Postage	1,783	500	0	500	0
Rentals/Leases-Equip & Other	7,239	0	0	0	0
Rentals/Leases - Bldg/Land	1,806	0	0	0	0
Repairs	120	0	0	0	0
Operating Fees and Services	11,140	5,591	0	5,591	0
Fees - Professional Services	136,715	73,209	(48,500)	24,709	0
Total	211,715	118,500	(68,500)	50,000	0

Litigation Fees

General Fund	211,715	118,500	(68,500)	50,000	0
Federal Funds	0	0	0	0	0
Special Funds	0	0	0	0	0
Total	211,715	118,500	(68,500)	50,000	0

NICS

Salaries - Permanent	66,210	0	0	0	0
Overtime	117	0	0	0	0
Fringe Benefits	28,561	0	0	0	0
Supplies - IT Software	1,108	0	0	0	0
Office Supplies	2,535	0	0	0	0
IT Equip Under \$5,000	1,308	0	0	0	0
Office Equip & Furn Supplies	861	0	0	0	0

REQUEST DETAIL125 Office of the Attorney General
Biennium: 2015-2017

Bill#: SB2003

Date: 12/23/2014

Time: 11:48:56

Description	Expenditures 2011-2013 Biennium	Present Budget 2013-2015	Budget Request Change	Requested Budget 2015-2017 Biennium	Optional Budget Request
Insurance	132	0	0	0	0
IT Contractual Svcs and Rprs	352	0	0	0	0
Total	101,184	0	0	0	0
NICS					
General Fund	0	0	0	0	0
Federal Funds	101,184	0	0	0	0
Special Funds	0	0	0	0	0
Total	101,184	0	0	0	0
Abortion Litigation Fees					
Travel	0	41,000	0	41,000	0
Fees - Professional Services	0	359,000	0	359,000	0
Total	0	400,000	0	400,000	0
Abortion Litigation Fees					
General Fund	0	400,000	0	400,000	0
Federal Funds	0	0	0	0	0
Special Funds	0	0	0	0	0
Total	0	400,000	0	400,000	0
Medical Examinations					
Fees - Professional Services	395,600	660,000	0	660,000	0
Total	395,600	660,000	0	660,000	0
Medical Examinations					
General Fund	0	0	0	0	0
Federal Funds	0	0	0	0	0
Special Funds	395,600	660,000	0	660,000	0
Total	395,600	660,000	0	660,000	0
North Dakota Lottery					
Salaries - Permanent	1,018,601	1,114,976	31,000	1,145,976	0
Temporary Salaries	27,932	42,300	1,800	44,100	0
Overtime	0	5,000	(5,000)	0	0
Fringe Benefits	376,532	431,524	28,702	460,226	0
Travel	85,936	130,000	0	130,000	0
Supplies - IT Software	2,443	20,000	0	20,000	0
Supply/Material-Professional	35	2,000	0	2,000	0

REQUEST DETAIL125 Office of the Attorney General
Biennium: 2015-2017

Bill#: SB2003

Date: 12/23/2014

Time: 11:48:56

Description	Expenditures 2011-2013 Biennium	Present Budget 2013-2015	Budget Request Change	Requested Budget 2015-2017 Biennium	Optional Budget Request
Food and Clothing	0	500	0	500	0
Bldg, Ground, Maintenance	115	1,000	0	1,000	0
Miscellaneous Supplies	2,101	5,000	0	5,000	0
Office Supplies	11,409	20,000	0	20,000	0
Postage	25,033	40,000	0	40,000	0
Printing	25,898	40,000	0	40,000	0
IT Equip Under \$5,000	4,034	9,000	0	9,000	0
Other Equip Under \$5,000	0	2,000	0	2,000	0
Office Equip & Furn Supplies	2,525	3,000	0	3,000	0
Insurance	1,545	4,000	0	4,000	0
Rentals/Leases-Equip & Other	7	1,000	0	1,000	0
Rentals/Leases - Bldg/Land	106,613	102,000	0	102,000	0
Repairs	1,548	4,000	0	4,000	0
IT - Data Processing	37,541	38,400	0	38,400	0
IT - Communications	22,862	25,000	0	25,000	0
IT Contractual Srvcs and Rprs	0	365,000	0	365,000	0
Professional Development	37,522	78,500	0	78,500	0
Operating Fees and Services	891,622	1,510,644	803,800	2,314,444	0
Fees - Professional Services	23,635	138,977	226,200	365,177	0
Total	2,705,489	4,133,821	1,086,502	5,220,323	0
North Dakota Lottery					
General Fund	0	0	0	0	0
Federal Funds	0	0	0	0	0
Special Funds	2,705,489	4,133,821	1,086,502	5,220,323	0
Total	2,705,489	4,133,821	1,086,502	5,220,323	0
Arrest and Return of Fugitives					
Travel	6,513	4,440	0	4,440	0
Postage	8	0	0	0	0
Fees - Professional Services	11,074	5,560	0	5,560	0
Total	17,595	10,000	0	10,000	0
Arrest and Return of Fugitives					
General Fund	17,595	10,000	0	10,000	0
Federal Funds	0	0	0	0	0
Special Funds	0	0	0	0	0
Total	17,595	10,000	0	10,000	0

REQUEST DETAIL125 Office of the Attorney General
Biennium: 2015-2017

Bill#: SB2003

Date: 12/23/2014

Time: 11:48:56

Description	Expenditures 2011-2013 Biennium	Present Budget 2013-2015	Budget Request Change	Requested Budget 2015-2017 Biennium	Optional Budget Request
Gaming Commission					
Salaries - Permanent	1,650	0	0	0	0
Temporary Salaries	0	1,563	621	2,184	0
Fringe Benefits	136	717	(499)	218	0
Travel	2,348	2,275	0	2,275	0
Printing	462	0	0	0	0
Rentals/Leases - Bldg/Land	30	0	0	0	0
IT - Communications	0	565	0	565	0
Operating Fees and Services	2,144	2,248	0	2,248	0
Fees - Professional Services	52	0	0	0	0
Total	6,822	7,368	122	7,490	0
Gaming Commission					
General Fund	6,822	7,368	122	7,490	0
Federal Funds	0	0	0	0	0
Special Funds	0	0	0	0	0
Total	6,822	7,368	122	7,490	0
Remote Alcohol Monitors					
Other Equip Under \$5,000	0	1,200,000	(1,200,000)	0	0
Total	0	1,200,000	(1,200,000)	0	0
Remote Alcohol Monitors					
General Fund	0	1,200,000	(1,200,000)	0	0
Federal Funds	0	0	0	0	0
Special Funds	0	0	0	0	0
Total	0	1,200,000	(1,200,000)	0	0
Federal Stimulus Funds - 2009					
Salaries - Permanent	582,650	0	0	0	0
Overtime	60,617	0	0	0	0
Fringe Benefits	247,649	0	0	0	0
Travel	27,204	0	0	0	0
Supplies - IT Software	7,426	0	0	0	0
Supply/Material-Professional	29	0	0	0	0
Food and Clothing	42	0	0	0	0
Bldg, Ground, Maintenance	11,502	0	0	0	0
Miscellaneous Supplies	1,568	0	0	0	0
Office Supplies	5,452	0	0	0	0

REQUEST DETAIL125 Office of the Attorney General
Biennium: 2015-2017

Bill#: SB2003

Date: 12/23/2014

Time: 11:48:56

Description	Expenditures 2011-2013 Biennium	Present Budget 2013-2015	Budget Request Change	Requested Budget 2015-2017 Biennium	Optional Budget Request
Postage	578	0	0	0	0
IT Equip Under \$5,000	23,185	0	0	0	0
Other Equip Under \$5,000	91,916	0	0	0	0
Office Equip & Furn Supplies	30,889	0	0	0	0
Insurance	915	0	0	0	0
Rentals/Leases - Bldg/Land	34,399	0	0	0	0
Repairs	24,603	0	0	0	0
IT - Data Processing	3,235	0	0	0	0
IT - Communications	10,351	0	0	0	0
Professional Development	5,131	0	0	0	0
Operating Fees and Services	30,543	0	0	0	0
Fees - Professional Services	37,925	0	0	0	0
Motor Vehicles	120,000	0	0	0	0
Grants, Benefits & Claims	495,385	0	0	0	0
Total	1,853,194	0	0	0	0
Federal Stimulus Funds - 2009					
General Fund	0	0	0	0	0
Federal Funds	1,853,194	0	0	0	0
Special Funds	0	0	0	0	0
Total	1,853,194	0	0	0	0
Funding Sources					
General Fund	31,890,279	38,920,128	(1,351,502)	37,568,626	2,046,308
Federal Funds	7,726,977	9,270,995	(790,879)	8,480,116	292,037
Special Funds	8,164,499	36,316,455	(11,807,352)	24,509,103	24,474,145
Total Funding Sources	47,781,755	84,507,578	(13,949,733)	70,557,845	26,812,490

CHANGE PACKAGE SUMMARY

125 Office of the Attorney General
Biennium: 2015-2017

Bill#: SB2003

Date: 12/23/2014

Time: 11:48:56

Description	Priority	FTE	General Fund	Federal Funds	Special Funds	Total Funds
Base Budget Changes						
One Time Budget Changes						
A-B 12 Restore Crime Lab building bond payments		0.00	765,483	0	0	765,483
A-B 16 BCI, Crime Lab applications		0.00	0	0	1,604,000	1,604,000
A-B 18 2015-17 equipment		0.00	0	1,236,027	0	1,236,027
A-B 20 Building feasibility study		0.00	0	0	30,000	30,000
A-E 2 Remove Remote Alcohol Monitors line item		0.00	(1,200,000)	0	0	(1,200,000)
A-E 4 Remove Technology Project Carryover		0.00	0	0	(505,000)	(505,000)
A-E 7 Remove Law Enforcement Grants line item		0.00	0	0	(9,181,567)	(9,181,567)
A-E 9 Remove Emergency Commission requests		0.00	(68,500)	(34,000)	0	(102,500)
Total One Time Budget Changes		0.00	(503,017)	1,202,027	(8,052,567)	(7,353,557)
Ongoing Budget Changes						
A-A 11 Tobacco diligent enforcement		0.00	0	0	200,000	200,000
A-A 21 Inflation Increases and replacements		0.00	0	0	908,376	908,376
A-A 23 Lottery changes		0.00	0	0	1,030,000	1,030,000
A-A 24 Other funds changes		0.00	0	0	(4,894,908)	(4,894,908)
A-A 5 Federal funds changes		0.00	0	(1,082,479)	0	(1,082,479)
A-F 1 Remove 2013-15 equipment		0.00	(198,000)	(650,825)	(748,400)	(1,597,225)
A-F 3 Remove Crime Lab capital payments		0.00	(765,852)	0	0	(765,852)
Base Payroll Change		(1.00)	115,367	(259,602)	(249,853)	(394,088)
Total Ongoing Budget Changes		(1.00)	(848,485)	(1,992,906)	(3,754,785)	(6,596,176)
Total Base Budget Changes		(1.00)	(1,351,502)	(790,879)	(11,807,352)	(13,949,733)
Optional Budget Changes						
One Time Optional Changes						
A-D 13 15-17 General Fund equipment	8	0.00	220,000	0	0	220,000
Total One Time Optional Changes		0.00	220,000	0	0	220,000
Ongoing Optional Changes						

CHANGE PACKAGE SUMMARY

125 Office of the Attorney General

Bill#: SB2003

Date: 12/23/2014

Time: 11:48:56

Biennium: 2015-2017

Description	Priority	FTE	General Fund	Federal Funds	Special Funds	Total Funds
A-C 14 Rent & inflation increases	1	0.00	1,195,750	0	0	1,195,750
A-C 15 Oil Impact Law Enforcement package	2	13.50	0	292,037	23,843,765	24,135,802
A-C 25 Crime Lab forensic scientist funding source cha	3	0.00	174,898	0	0	174,898
A-C 8 Restore 1.0 FTE Programmer analyst	4	1.00	142,278	0	31,314	173,592
A-C 17 Legal staff needs	5	2.00	0	0	307,379	307,379
A-C 22 Gaming staff	6	1.00	313,382	0	29,921	343,303
A-C 19 Concealed Weapons license staffing	7	2.00	0	0	261,766	261,766
Total Ongoing Optional Changes		19.50	1,826,308	292,037	24,474,145	26,592,490
Total Optional Budget Changes		19.50	2,046,308	292,037	24,474,145	26,812,490

BUDGET CHANGES NARRATIVE

125 Office of the Attorney General

Bill#: SB2003

Date: 12/23/2014

Time: 11:48:56

Change Group: A	Change Type: A	Change No: 5	Priority:
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Federal funds changes

BCI federal funds are reduced by \$1,082,479; \$761,288 in grants and \$471,191 in operating. Transfers out are increased by \$150,000 from federal funds.

Change Group: A	Change Type: A	Change No: 11	Priority:
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Tobacco diligent enforcement

The cost of tobacco diligent enforcement arbitration and cost sharing agreements for non-participating tobacco manufacturers is anticipated to cost \$200,000 for the 2015-17 biennium. On September 11, 2013, a tobacco diligent enforcement arbitration panel unanimously determined that during 2003 North Dakota diligently enforced its Tobacco Sales Act (NDCC Chapter 51-25) and was not subject to the 2003 Non Participating Manufacturer adjustment (a potential loss of up to \$23 million). The state is now defending tobacco companies' allegations that North Dakota did not diligently enforce the above chapter during 2004 and anticipates needing to defend the state's diligent enforcement for several years. A number of states anticipate enter into a litigation cost-share agreement to pay for common costs of the litigation. The funding for these costs needs to come from the Tobacco Settlement fund, where the tobacco receipts are deposited. This will require a legislative change to the use of the fund.

Change Group: A	Change Type: A	Change No: 21	Priority:
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Inflation Increases and replacements

The Information Technology's budget is requested to be increased from other funds by a total of \$828,746 for additional repair costs for IT equipment (\$2,000 - more equipment equates to more repairs), ITD data processing rate increases \$16,090, increase in phones of \$10,656, and for contractors needed to provide maintenance support to office applications, including 24/7 hour operating systems of \$800,000. A reduction of \$218 from the general fund is requested in professional services due to a reduction in number of licenses.

The Gaming Division needs increased visibility in the state, training local law enforcement and city auditors on legal and illegal gaming issues, correct reporting procedures, training in local and charity local permits and training in site approval procedures for city auditors for state gaming licenses. The Division's travel budget is small and auditors have not been able to conduct any additional covert regulatory site audits. Illegal gaming activity cases without local law enforcement cooperation and education are dismissed or ignored. Professional education is very important for retention of gaming staff. This training is needed to properly audit current gaming activity and learn about new technology in the gaming industry. Without this knowledge gaming audit activity cannot be effectively audited. The current budget for professional development is \$5,200 for 15 positions. This \$31,000 increase will be funded from the AG Refund and the AG Operating funds.

The Fire Marshal's office was moved to a new location to meet the growing need for office space within the office. The new space costs more than was budgeted for this biennium. In addition, with the new space, cleaning and supplies, a copier maintenance contract and an administrative office upgrade are now needed. The previous administrative office has built-in office furnishings which are not available at the new location. The work area will provide some sound barrier assistance between this office and the adjacent office building. These costs, totaling \$26,830, will be funded with other funds.

BUDGET CHANGES NARRATIVE

125 Office of the Attorney General

Bill#: SB2003

Date: 12/23/2014

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The Fire Marshal's analog vehicle radios need to be replaced with digital radios since State Radio's upgraded system has limited use of some function for analog radios. Current radios will no longer work with the State Radio system in 3-5 years. This cost is \$12,000 and will be purchased with other funds.

Fire Marshal staff cameras are old and experiencing problems which require more maintenance. These cameras need to be upgraded to support dependable operations for fire investigation work. This cost is \$1,600 and will be purchased with other funds.

Fire Marshal cell phone were upgraded to smart phones during this biennium to meet the staff communication needs for daily operations. The change in the phone contract resulted in monthly fee increases, costing about \$5,400, to be funded with other funds.

Fire Marshal fire and building codes and subscription services are regularly updated online. With a system upgrade the subscription renewal fee was increased by \$2,800 which will be funded from other funds.

Change Group: A	Change Type: A	Change No: 23	Priority:
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Lottery changes

This \$226,200 request is for Multi-State lottery fees (MUSL) for the new monopoly game and will be paid from the Lottery Operating fund. A total of \$88,800 is needed for: public notices (\$7,000), background checks (\$1,000), settlement costs (\$10,000), vendor play bank fees (\$20,000), licenses (\$800) and a player survey (\$50,000). These requests will be paid from the Lottery Operating fund.

The Lottery has introduced a player's club points for prizes program. This request, totaling \$715,000, will be funded from unclaimed lottery prizes.

Change Group: A	Change Type: A	Change No: 24	Priority:
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Other funds changes

Completed IT projects totaling \$4,754,908, are removed which were funded from the AG Refund fund. A Fire Marshal IT project totaling \$75,000 from the Reduced Cigarette Ignition Propensity fund is removed. Fire Marshal professional services of \$65,000 from the Fire Prevention and Public Safety fund are removed.

Change Group: A	Change Type: B	Change No: 12	Priority:
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Restore Crime Lab building bond payments

The Crime Lab building bond payments of \$765,483 from the general fund are requested.

Change Group: A	Change Type: B	Change No: 16	Priority:
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BCI, Crime Lab applications

BUDGET CHANGES NARRATIVE

125 Office of the Attorney General

Bill#: SB2003

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The Criminal History Improvement Project will rework livescan workflows to improve processes, becoming less dependent on the vendor. This project includes working with states attorneys and courts to receive electronic criminal records transfers to criminal history and converting the criminal history repository to modern technology. The estimated cost is \$970,000 from the AG Refund fund.

The Bureau of Criminal Investigation and Crime Lab have many applications to support which need enhancements. These enhancements are outside of regular maintenance support items and are considered small projects, such as sending sex offender supplemental information to the FBI, improving biometric use with sex offenders and being able to share this information electronically across state lines, improvements to case management evidence tracking and interaction with the Crime Lab , improving care reporting, Crime Lab reporting and 24/7 Sobriety enhancements. The estimated cost is \$634,000 from the AG Refund fund.

Change Group: A	Change Type: B	Change No: 18	Priority:
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2015-17 equipment

BCI

Internet Crimes Against Children (ICAC) funding continues to be available for a variety of cyber-crime related expenses, including equipment which must be upgraded or replaced periodically. Each of the 6 forensic computer costs \$5,100. Each of the 6 software packages costs \$5,200. Each of the 3 servers costs \$15,000. Each of the 3 duplicator costs \$14,300. Each of the 6 cell phone extraction devices costs \$10,000. All of this equipment will be used for cyber-crime investigations and totals \$209,700 from federal funds.

Federal funds will be used to purchase a trailer equipped with GPS and cameras to serve as a decoy and deter theft by individuals who are stealing wire, equipment, supplies, etc. The cost is \$15,000.

Federal funds will be used to purchases four biometric equipment items (such as iris scans, retina scans, etc.), which will enhance the sex offender registration system and ensure timely transfer of sensitive law enforcement information. These funds will also be used to purchase 4 fingerprint devices. The total cost of these items is \$92,000.

The office will purchase 2 evidence drying cabinets with federal funds costing a total of \$16,000. The Crime Lab does not accept wet and contaminated evidence (bodily fluids, blood, etc.). This equipment allows agents to properly preserve the evidence before it is sent to the Lab.

Ten new law enforcement radios will be purchased with federal funds, costing \$5,500 each for a total of \$55,000. FCC regulations will require new radio technology within the next 3-5 years due to splitting narrow band technology. This request address the first round of replacements needed. State Radio has already changed to this technology,

Panoscan cameras have been very beneficial to agents to provide digital mapping of complex crime scenes. One camera will be purchased, costing \$75,000, with federal funds.

Thirteen Tru Narc testing kits will be purchased with federal and other funds, costing \$19,900 each. These are digital filed testing devices which allow investigators to test unknown substances without consuming the sample. These kits may possibly reduce the Crime Lab's workload. The cost of the kits, \$258,700, is split 50/50 between federal and other funds.

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Crime Lab

An Intoxilyzer is an evidentiary instrument used to measure breath alcohol for subject's arrested for driving under the influence. The Crime Lab will purchase 43 replacement units, costing \$7,095 each (for a total of \$305,085), with DOT Highway Safety funds, to distribute to local law enforcement.

This Gas Chromatograph/Mass Spectrometer is used to analyze and identify drugs in urine in blood samples submitted for the Crime Lab. One replacement GC/MS will be purchased, using federal funds, costing \$118,272.

Atlas 8.x CDS Upgrade to Chomeleon Chromatography Data System software is used to analyze blood alcohol samples; this upgrade is needed to keep pace with technology. The replacement cost is \$27,932 and will be purchased with federal funds.

A QIAcube is used to assist forensic scientists in pipetting sexual assault samples. One replacement QIAcube, costing \$25,000, will be purchased with federal funds.

A Thermocycler is used to amplify specific regions of the DNA molecule to develop a DNA profile. Two replacement units, costing \$9,937 each (total of \$19,874) , will be purchased with federal funds.

A Maxwell Extraction unit is a compact instrument which automates high-yield DNA extraction for casework analysis. One replacement unit, costing \$25,000, will be purchased with federal funds.

An Extraction Robot for sex offender processing will be used for processing 85 offender samples at a time for DNA database profiling. This replacement unit, costing \$150,000, will be purchased with federal funds.

A GC/MS Spectrometer is used to analyze and identify drugs samples that are submitted. This replacement unit, costing \$102,164, will be purchased with federal funds.

Change Group: A	Change Type: B	Change No: 20	Priority:
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Building feasibility study

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A feasibility study is essential to determine the additional Crime Lab space needs. The Lab needs to assess its current and future space needs by examining the services provided to law enforcement, existing space utilization and infrastructure. The recommended standard ratio for lab space is roughly 1,000 feet squared per staff member. The Lab currently houses 27 staff members in roughly 700 feet squared each. This \$30,000 request is funded by the AG Refund fund.

Change Group: A	Change Type: C	Change No: 8	Priority: 4
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Restore 1.0 FTE Programmer analyst

The 2013-15 biennium programmer/analyst is requested to assist with the backlog of information technology work for the office, particularly Bureau of Criminal Investigation projects. The request is \$142,278 from the general fund for salaries and \$31,314 from other funds for operating expenses, for a total of \$173,592.

Change Group: A	Change Type: C	Change No: 14	Priority: 1
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Rent & inflation increases

Rent and other operating increases are requested for the following divisions:

Information Technology: IT Software and supplies need to be increased by \$262,332 due to increases in small IT equipment replacements and software annual maintenance renewals for new software products. To provide sufficient room for BCI operations, the IT offices will be relocated to a different facility, which is anticipated to increase rental costs by \$175,213. Most ITD data processing costs increased 10 - 15% for the next biennium, firewalls were added for the BCI and Crime Lab and ongoing costs for the office's security project need funding of \$95,246. These increases are general fund requests.

Bureau of Criminal Investigation: Rent increases have occurred in both Bismarck locations and several other offices outside of Bismarck will relocate during the next biennium due to growth and/or unfavorable work conditions. This \$658,659 general fund request will cover rent increases, new rent costs, ITD data processing costs for network connections, IT equipment, furnishings for the new offices and adding 2 IVN systems.

AG Administration: The Council of Western Attorneys General dues are increased approximately every ten years. This \$2,400 general fund increase request is for the dues increase.

Change Group: A	Change Type: C	Change No: 15	Priority: 2
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Oil Impact Law Enforcement package

The requested Oil Impact Law Enforcement package will fund the following:

Watford City is the center of much of the Bakken energy activity and it is critical to have a field office presence there, with staff readily available to work with local law enforcement. Adding two criminal investigators in this area will provide expertise and assistance to help investigate major crimes occurring there, including murder for hire, fraud and large thefts. These positions will provide assistance to the local task force, allowing that task force to be more proactive in narcotics investigations. This other funds request totals \$509,764 for the two positions and related operating expenses.

Human trafficking cybercrime continues to grow in size and complexity. Two criminal investigators assigned to Williston will help address the substantial needs in the Bakken region and will provide for adequate peer review, consultation and assistance to Internet Crimes Against Children (ICAC) affiliates. This other funds request totals \$589,704 for two positions and related operating expenses.

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Two State and Local Intelligence Center (SLIC) intelligence analysts have been funded by federal funds. That funding is ending. The service provided by the analysts is complex and crucial to law enforcement in resolving crimes. These positions need to be retained to keep up with the ever increasing demands of local law enforcement. This other funds request totals \$267,712 for two positions.

Ninety-five percent of unregistered sex offenders are from out-of-state. Many times repeated inquiries must be made to other jurisdictions to obtain adequate history so that out-of-state offenders may be properly classified based on the seriousness of their sexual offenses. Additional assistance is needed to alleviate an increasing backlog of unclassified sex offenders. This administrative assistant position and related operating expenses request totals \$122,334 from other funds.

Criminal activities in southwest North Dakota have increased due to the energy activity. Adding an investigator in southwest North Dakota will provide expertise and assistance in investigation of the major crimes occurring in that area. This position will assist the associated task force to be more proactive in narcotics investigations by providing coordination abilities to the member law enforcement agencies. This position and associated operating expenses request totals \$246,122 from other funds.

New criminal investigators and the current case management system have created a large, challenging case management workload. Further assistance is needed to stay up-to-date in managing the narcotics buy fund, tracking statistics and other necessary administrative functions. This requested administrative assistant and associated operating expenses total \$122,334 from other funds.

The Law Enforcement oil grants have demanded nearly 100% of a current grant manager's time and as a result, federal grant work originally assigned to this position has been very difficult to complete. A grants administrative assistant position is needed to help better manage the office's oil and federal grants to meet the office's obligations. The estimated cost of this position and associated operating expenses is \$122,334 from other funds.

After Williams County received High Intensity Drug Trafficking Act (HIDTA) designation in November 2013, the Midwest HIDTA Executive Board approved federal funding for a prosecutor to work out of the Minot and Williston offices. This position was approved by the 2013-15 biennium Emergency Commission and the Budget Section to add a High Intensity Drug Trafficking Act (HIDTA) attorney in the oil patch area in the Spring of 2014. The requested full-time prosecutor position will spearhead the HIDTA drug prosecution efforts in the Bakken area. It is funded by federal HIDTA funds (\$162,686) and monies from the Oil Patch Law Enforcement grant (\$123,377).

The Emergency Commission and Budget Section approved hiring a .5 attorney position to assist in the Criminal/Regulatory legal division. This position provides assistance to local prosecutors in oil impacted counties. The estimated cost of this .5 position and associated operating expenses is \$153,968 from other funds.

Without the requested staff updates, the Criminal and Regulatory Division has 2 attorneys to respond to all of the State's requests for prosecutorial assistance. In addition the oil boom and related increase in crime has resulted in additional Highway Patrol officers, BCI criminal investigators, Parole and Probation officers and Crime Lab staff, all of whom rely on the office's legal advice. This attorney is the bare minimum necessary to keep up with the increase workload. This request totals \$184,657 from other funds for 1 attorney and related operating expenses.

The Crime Lab DNA unit has a significant workload; current turn-around time is 134 days. In just 2 years the caseload has increased 59% (263 cases submitted in 2011 to 417 cases submitted in 2013). The addition of a forensic scientist will allow the unit to process DNA cases in a timelier manner. The requested other funds for this position and associated operating expenses is \$142,311 from other funds.

Criminal investigators are underpaid compared to their counterparts (Highway Patrol officers with 5 years experience are paid \$56,000 per year, Belfield Police Department is paying \$57,000 per year and there are similar findings throughout the state). Starting criminal investigators, with 5 years' experience, are paid \$48,235 per year after probation. The office is requesting \$650 per month per investigator in additional compensation to move all investigators in their pay grades and help ensure the office is able to attract strongly experienced staff to the office. This other funds request totals \$846,281 from other funds.

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Oil impact law enforcement grants of \$20,000,000 are requested from other funds. The local law enforcement needs include: law enforcement officers, state's attorneys, victim witness advocates, domestic violence prevention staff and administrative staff members; staff overtime; equipment; supplies; housing allowances, brick and mortar housing and training. The oil impacted political subdivisions indicated the following needs for more personnel: 23.2% need 1 staff member, 19.6% need 2 staff members, 16.1% need 3 staff members, 5.4% need 4 staff members and 14.3% need 5 or more staff members. These grants will be awarded through the Drug and Violent Crime policy board as has been done during the 2013-15 biennium.

Change Group: A	Change Type: C	Change No: 17	Priority: 5
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Legal staff needs

The Natural Resources Division needs a .5 FTE paralegal to help handle the increasing workload of administrative enforcement and litigation. The anticipated outcome is greater efficiency for attorneys via additional support. The estimated cost from the AG Operating fund is \$80,370 for a .5 paralegal and associated operating costs.

The State & Local Government Division works with of 15 professional and occupational boards and other legal duties. Due to the influx of people moving to this state, the board workload has increased significantly. The additional .5 FTE paralegal will assist the attorneys with the increased workload in addition to providing legal research support for Attorney General opinions. The estimated cost from the AG Operating fund is \$70,705 and a space and equipment are already available for this position.

The number of Labor Department wage claims has more than doubled in two years. There are two Civil Litigation paralegals assigned to wage claims and this work has become a significant part of their workload, which then does not allow them to complete the rest of their assignments. The wage claim workload is anticipated to increase rather than decline due to oil companies coming into and going out of the state. The amount of pro se litigation (advocating on one's own behalf before a court, rather than being represented by a lawyer) has also increased. This position will assist in wage claims and other litigation and is estimated to cost \$156,304 for 1 paralegal's salaries and associated operating expenses, which will be funded from the AG Operating fund.

Change Group: A	Change Type: C	Change No: 19	Priority: 7
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Concealed Weapons license staffing

Concealed weapon licenses are currently caught up, with the assistance of just under 1,000 hours worked by volunteers and overtime from BCI criminal history record staff, yet other duties remain to be done. The office anticipates a large number of renewals in the near future along with continued growth in new licenses. This request includes \$261,766 for 2 FTE administrative assistants, along with related operating costs, to be funded from concealed weapon license fees deposited in the AG Operating fund.

Change Group: A	Change Type: C	Change No: 22	Priority: 6
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Gaming staff

All Gaming auditors' and audit technicians' salaries need to be increased to address the significant gap in salaries when compared to other state employees in the same classifications. This change moves these staff members to the average salary of their classification based on years in their position. This increase totals \$199,877, \$169,956 is from the general fund and \$29,921 is from the AG Refund fund for Indian Gaming staff.

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There are six Gaming auditors to perform audits on 350 gaming organizations with 1,000 sites. Right now gaming organizations are only audited every 5-7 years. The office assesses a two year probation period against organizations for gaming issues and lacks adequate staff to review their gaming operations during that two year time period. There are over 700 gaming sites that have not had a comprehensive audit due to lack of staffing; the office has only been able to complete compliance audits for these sites, which is reviewing just one game type. The office has been unable to perform any audits on gaming distributors. The requested auditor and associated operating costs are estimated at \$143,426 from the general fund.

Change Group: A	Change Type: C	Change No: 25	Priority: 3
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Crime Lab forensic scientist funding source change

The National High Intensity Drug Trafficking Act (HIDTA) funding for portions of 2 forensic scientists' salaries will no longer be funded on the federal level. This request is for a funding source change from federal HIDTA funding to the general fund.

Change Group: A	Change Type: D	Change No: 13	Priority: 8
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15-17 General Fund equipment

Due to the confidential nature of the work performed, criminal investigators use undercover vehicles which the office purchases. This \$220,000 general fund request is to replace 10 of the undercover vehicles in the 2015-17 biennium.

Change Group: A	Change Type: E	Change No: 2	Priority:
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Remove Remote Alcohol Monitors line item

The Remote Alcohol Monitor line item of \$1.2 million from the general fund is removed.

Change Group: A	Change Type: E	Change No: 4	Priority:
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Remove Technology Project Carryover

The Information Technology Project Carryover line item of \$505,000 from other funds is removed.

Change Group: A	Change Type: E	Change No: 7	Priority:
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Remove Law Enforcement Grants line item

As required, the \$9.6 million other funds Law Enforcement Grants line item is removed.

Change Group: A	Change Type: E	Change No: 9	Priority:
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Remove Emergency Commission requests

The Emergency Commission and Budget Section approved \$68,500 for Litigation Fees is removed. The \$66,000 in salaries and \$34,000 for operating expenses for the federally funded High Intensity Drug Trafficking Act (HIDTA) attorney approved by the Emergency Commission and Budget Section are removed.

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Change Group: A	Change Type: F	Change No: 1	Priority:
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Remove 2013-15 equipment

As required all 2013-15 equipment is removed. This includes \$(198,000) general fund, \$(650,825) federal funds and \$(748,400) other funds reductions.

Change Group: A	Change Type: F	Change No: 3	Priority:
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Remove Crime Lab capital payments

As required, the Crime Lab capital payments of \$765,852 from the general fund for the Crime Lab building are removed.

Change Group: R	Change Type: A	Change No: 1	Priority:
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Rent and inflation increase

Rent and other operating increases are requested for the IT division, BCI, and administration.

Change Group: R	Change Type: A	Change No: 2	Priority:
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Oil impact law enforcement grants

Provides \$295,935 from the general fund and \$4.6 million from other funds for 19.50 FTE positions and related operating and equity funding for law enforcement positions and \$20 million from other funds for grants to local law enforcement agencies to address needs related to the oil industry.

Change Group: R	Change Type: A	Change No: 3	Priority:
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Programmer analyst FTE

Continues a programmer analyst provided by the 2013 legislature for the 2013-15 biennium.

Change Group: R	Change Type: A	Change No: 4	Priority:
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Legal staff FTE

Provides \$307,379 from other funds for 2.00 legal staff positions and related operating.

Change Group: R	Change Type: A	Change No: 5	Priority:
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Gaming FTE

Provides \$143,830 of which \$82,908 is from the general fund for 1.00 gaming auditor FTE position and related operating.

Change Group: R	Change Type: A	Change No: 6	Priority:
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Concealed weapons FTE

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Provides \$261,766 of other funds for 2.00 administrative assistant FTE positions and related operating to assist with concealed weapons licensing activities.

Change Group: R	Change Type: A	Change No: 100	Priority:
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Executive compensation adjustment package

This budget change provides funding for recommended 2015-17 compensation adjustments.

Change Group: R	Change Type: B	Change No: 1	Priority:
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Vehicle replacement

Provides \$220,000 from the general fund to replace 10 undercover vehicles for the 2015-17 bienium.