

**Attorney General
Budget No. 125
Senate Bill Nos. 2003, 2103, 2161, House Bill No. 1014**

	FTE Positions	General Fund	Other Funds	Total
2007-09 executive budget (bills as introduced)	181.30	\$22,929,209	\$18,294,523	\$41,223,732
2007-09 legislative appropriations	188.50	24,432,081¹	20,901,921	45,334,002
Legislative increase (decrease) to executive budget	7.20	\$1,502,872	\$2,607,398	\$4,110,270
Legislative increase (decrease) to 2005-07 appropriations	3.20	\$5,219,925	(\$3,586,480)	\$1,633,445

¹This amount includes \$1,442,840 of one-time funding. Excluding this amount, the agency's ongoing general fund appropriation is \$22,989,241.

SUMMARY OF LEGISLATIVE CHANGES TO THE EXECUTIVE BUDGET AND MAJOR FUNDING ITEMS

Salaries and Wages

The legislative action affecting the recommended appropriation for the Attorney General is in accordance with legislative salary and fringe benefits guidelines as contained in Senate Bill No. 2189. In addition, the Legislative Assembly provided \$883,000 for salary equity adjustments for Attorney General employees.

	Major Items	FTE Positions	General Fund	Other Funds	Total
The legislative action:					
Reduced funding recommended in the executive budget relating to retiree health credit contributions			(\$18,953)	(\$3,853)	(\$22,806)
Restored funding for an information technology network administrator and an account technician removed in the executive budget. Funding for the network administrator is from the lottery fund and 50 percent of the funding for the account technician is from the lottery fund with the remainder from the general fund.	2.00	45,094	175,916	221,010	
Restored funding for national criminal history improvement project positions removed in the executive budget. The other funds are from federal funds.	2.00	39,588	124,571	164,159	
Added funding to provide the level of funding needed for the 4 percent annual state employee salary increases. The amount included in the executive budget was calculated incorrectly.			172,232	172,232	
Added funding to provide a total of \$883,000, of which \$872,079 is from the general fund, for salary equity increases			229,000	229,000	

Removed the following vacant positions:	(3.30)		(372,421)	(372,421)
<ul style="list-style-type: none"> • Grants and contracts officer (\$100,636) • Administrative assistant (.30 FTE) (\$34,905) • High-intensity drug trafficking analyst (\$119,067) • Lottery customer relations specialist (\$117,813) 				
Added a criminal investigator for conducting criminal investigation computerized forensic investigations and examinations	1.00	175,000		175,000
Added funding for Information Technology Department data processing and telecommunications rate increases and PeopleSoft user fees		63,556	2,541	66,097
Added funding from the Attorney General operating fund and refund fund for anticipated operating cost increases of the Legal, Consumer Protection, and Gaming Divisions			77,776	77,776
Added funding to provide a total of \$279,599 of additional operating costs associated with the new Crime Laboratory building and for Crime Laboratory inflationary increases		62,599		62,599
Added funding from the racing promotion fund for a half-time position to audit simulcast racing sites in accordance with provisions of House Bill No. 1126	.50		60,988	60,988
Added funding to provide training to state's attorneys relating to the prosecution of sexually dangerous individuals		15,000		15,000
Added funding for conducting additional background checks as a result of provisions of Senate Bill No. 2260	5.00	477,756	750,800	1,228,556
Added funding from the Multijurisdictional Task Force grant fund created by House Bill No. 1330 for salaries and wages relating to the administration of the multijurisdictional grant program			45,000	45,000
Added funding for constructing a new Crime Laboratory near the existing laboratory. The special funds are from other funding sources that may be available to the Attorney General for this project, except that the other funds may not be from the refund fund (see Crime Laboratory Building section below).		200,000	200,000	400,000
Added funding for operating costs of the existing Crime Laboratory facility for the last nine months of the biennium. These funds may be spent only for operating costs of this facility during the period of time it is unoccupied.		42,000		42,000

Added funding from the insurance regulatory trust fund in Senate Bill No. 2103 for reimbursing health care providers for the cost of performing forensic medical examinations on victims of criminal sexual conduct			500,000	500,000
Added funding from federal funds, if available, in Senate Bill No. 2161 for 10 computerized sex offender registration sites			1,046,080	1,046,080
Total	7.20	\$1,502,872	\$2,607,398	\$4,110,270

FTE Changes

The Legislative Assembly restored 1 FTE information technology network administrator, 1 FTE account technician, and 2 FTE national criminal history improvement project positions removed in the executive budget. The Legislative Assembly removed 3.30 FTE vacant positions, including a grants and contracts officer, administrative assistant (.30 FTE), high-intensity drug trafficking analyst, and lottery customer relations specialist. The Legislative Assembly added 1 FTE computer forensics position, a .5 FTE horse racing auditor, and 5 FTE positions for conducting additional criminal background checks. The Legislative Assembly added Section 10 to Senate Bill No. 2003 providing legislative intent that the Attorney General fill the background check positions only as necessary to meet workload demand.

One-Time Funding

In Section 8 of Senate Bill No. 2003, the Legislative Assembly identified \$1,442,840 from the general fund for construction of the new Crime Laboratory as a one-time funding item. This amount is not to be considered part of the agency's base budget for preparing the 2009-11 executive budget and the Attorney General is to report to the Appropriations Committees during the 2009 legislative session on the use of this funding.

Criminal Justice Information Sharing

The Legislative Assembly added Section 18 to Senate Bill No. 2003 providing that the Criminal Justice Information Sharing Board may appoint and employ a director and that the director may hire additional employees and may contract with the Bureau of Criminal Investigation for the processing of federal fingerprint identification. The Legislative Assembly did not change the executive recommendation which provided that 2 FTE positions in the Attorney General's office relating to the criminal justice information sharing project be paid for with funds appropriated to the Information Technology Department and transferred to the Attorney General's office as special funds.

Crime Laboratory Building

The Legislative Assembly provided a total of \$4,923,562 for constructing a new Crime Laboratory building on state land located near the current Crime Laboratory location. Of the \$4,923,562, \$3,280,722 is from bond proceeds remaining from the 2005-07 biennium bond issue which the Attorney General did not use to construct an addition to the current Crime Laboratory. Section 16 of Senate Bill No. 2003 authorizes the Attorney General to continue to spend these funds. The executive budget recommended an additional \$1,242,840 from the general fund for this building and the Legislative Assembly added an additional \$400,000, of which \$200,000 is from the general fund, to this amount for the project. The Legislative Assembly included intent that the building be constructed to allow for future expansion and that Facility Management develop a plan for the use of the space that will become available in the existing Crime Laboratory building. The Attorney General is authorized to move the State Department of Health's storage building from the site if necessary to allow for the building construction. The Attorney General is to provide periodic reports to the Budget Section on the status of the project during the 2007-08 interim.

Other Sections in Senate Bill No. 2003

Section 9 provides that if additional federal funds become available, the Attorney General may not spend general fund money appropriated for similar purposes.

Section 11 authorizes the Attorney General to establish a sobriety program pilot project during the 2007-09 biennium.

Section 15 allows the Attorney General to retain the June 30, 2007, balance in the Attorney General refund fund rather than transferring the balance to the general fund.

Section 17 provides the statutory changes increasing the Attorney General's salary. The Attorney General's annual salary is increased from the current level of \$80,761 to \$83,991 effective July 1, 2007, and to \$87,351 effective July 1, 2008.

Related Legislation

Senate Bill No. 2097 increases the amount of fees the Attorney General may collect and deposit in the Attorney General's operating fund during the 2005-07 biennium for State Fire Marshal services provided to entities covered by the fire and tornado fund and petroleum release compensation fund.

Senate Bill No. 2103 provides that the Attorney General reimburse health care providers for the cost of performing forensic medical examinations on victims of criminal sexual conduct.

Senate Bill No. 2260 expands the number of entities that may request criminal background checks on certain individuals.

House Bill No. 1197 requires a DNA sample from each felony arrestee beginning August 2009.

House Bill No. 1330 creates a Multijurisdictional Task Force grant fund within the Attorney General's office from lottery revenue and provides a continuing appropriation to the Attorney General from money in the fund to be used for drug task forces throughout the state. The bill transfers \$105,625 per quarter from lottery revenues to this special fund. A provision was included in the bill that if additional federal funds become available for these drug task forces, the Attorney General may not spend the money in the Multijurisdictional Task Force grant fund to the extent that federal funds are available for this purpose for the 2007-09 biennium.