

Introduced by

Appropriations Committee

(At the request of the Governor)

1 A BILL for an Act to provide an appropriation for defraying the expenses of the attorney
2 general; to provide statements of legislative intent; to amend and reenact subsection 3 of
3 section 53-06.1-14 and section 54-12-11 of the North Dakota Century Code, relating to gaming
4 stamp fees and the salary of the attorney general; and to declare an emergency.

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

6 **SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the
7 funds as may be necessary, are hereby appropriated out of any moneys in the general fund in
8 the state treasury, not otherwise appropriated, and from special funds derived from federal
9 funds and other income, to the attorney general for the purpose of defraying the expenses of
10 the attorney general, for the biennium beginning July 1, 1999, and ending June 30, 2001, as
11 follows:

12 Salaries and wages	\$13,981,817
13 Operating expenses	4,572,703
14 Equipment	811,710
15 Grants	5,396,025
16 Litigation fees	50,000
17 Arrest and return of fugitives	10,000
18 Gaming commission	5,109
19 Racing commission	222,067
20 National criminal history improvement project	2,344,118
21 Law enforcement programs	627,280
22 High-intensity drug trafficking area	<u>1,604,175</u>
23 Total all funds	\$29,625,004

1	Less estimated income	<u>15,894,903</u>
2	Total general fund appropriation	\$13,730,101

3 **SECTION 2. APPROPRIATION.** There is hereby appropriated out of any moneys in
4 the general fund in the state treasury, not otherwise appropriated, the sum of \$500,000, or so
5 much of the sum as may be necessary, to the attorney general for the purpose of investigating
6 and litigating unfair or unlawful practices in agricultural production, processing, and marketing,
7 and possibly addressing issues that involve international trade, industry concentration, the
8 violation of state and federal antitrust laws, and fair market grading and testing standards, for
9 the biennium beginning July 1, 1999, and ending June 30, 2001.

10 **SECTION 3. FIRE AND TORNADO FUND.** The estimated income line item in
11 section 1 of this Act includes the sum of \$385,517, or so much of the sum as may be
12 necessary, from the state fire and tornado fund, for the purpose of defraying the expenses
13 related to the state fire marshal program.

14 **SECTION 4. LEGISLATIVE INTENT - STATE FIRE MARSHAL PROGRAM.** It is the
15 intent of the legislative assembly that the attorney general charge and collect a fee for services
16 provided by the state fire marshal program to entities insured by the fire and tornado fund. For
17 services provided to entities not insured by the fire and tornado fund, the attorney general is to
18 prepare and submit a memorandum billing to the entity receiving the service. For the purpose
19 of this section a "memorandum billing" means a document detailing services and cost of
20 services provided. The memorandum billing does not require a remittance of funds.

21 **SECTION 5. ASSET FORFEITURE FUND.** The sum of \$74,201 is available from the
22 asset forfeiture fund to the attorney general as included in the estimated income line item in
23 section 1 of this Act.

24 **SECTION 6. LOCAL GAMING ENFORCEMENT GRANTS.** The grants line item in
25 section 1 of this Act includes \$221,877 for local gaming enforcement grants.

26 **SECTION 7. LEGISLATIVE INTENT - LOCAL GAMING ENFORCEMENT GRANTS.**
27 It is the intent of the legislative assembly that the attorney general, through the state treasurer's
28 office, disburse local gaming enforcement grants based on a competitive basis in accordance
29 with criteria established by the attorney general.

30 **SECTION 8. LEGISLATIVE INTENT - LITIGATION FEES - EMERGENCY**
31 **COMMISSION REQUEST.** It is the intent of the legislative assembly that the attorney general

1 submit a request to the emergency commission for an additional appropriation for litigation fees
2 from the contingency fund if the \$50,000 appropriated in the litigation fees line item in section 1
3 of this Act is exhausted.

4 **SECTION 9. LEGISLATIVE INTENT - ARREST AND RETURN OF FUGITIVES -**
5 **EMERGENCY COMMISSION REQUEST.** It is the intent of the fifty-sixth legislative assembly
6 that the attorney general submit a request to the emergency commission for additional
7 appropriation authority from the state contingencies appropriation for reimbursing counties for
8 costs relating to the arrest and return of fugitives if the funding provided for this purpose in
9 section 1 of this Act is not adequate for the biennium beginning July 1, 1999, and ending
10 June 30, 2001.

11 **SECTION 10. AMENDMENT.** Subsection 3 of section 53-06.1-14 of the 1997
12 Supplement to the North Dakota Century Code is amended and reenacted as follows:

13 3. A licensed distributor shall affix a North Dakota gaming stamp to each deal of pull
14 tabs and bingo cards, punchboard, sports pool board, calcutta board, and series of
15 paddlewheel ticket cards sold and shall purchase the stamps from the attorney
16 general for ~~twenty-five~~ thirty-five cents each. Ten cents of each stamp sold, up to
17 thirty-six thousand dollars per biennium, must be credited to the attorney general's
18 operating fund to defray the costs of issuing the gaming stamps.

19 **SECTION 11. AMENDMENT.** Section 54-12-11 of the 1997 Supplement to the North
20 Dakota Century Code is amended and reenacted as follows:

21 **54-12-11. Salary of attorney general.** The annual salary of the attorney general is
22 ~~sixty-two~~ sixty-five thousand ~~five~~ seven hundred ~~ninety-two~~ fifty-three dollars through June 30,
23 ~~1998~~ 2000, sixty-seven thousand sixty-eight dollars through December 31, 2000, and ~~sixty-four~~
24 sixty-nine thousand ~~four hundred sixty-four~~ two dollars thereafter.

25 **SECTION 12. EMERGENCY.** The high-intensity drug trafficking area line item in
26 section 1 of this Act is declared to be an emergency measure.