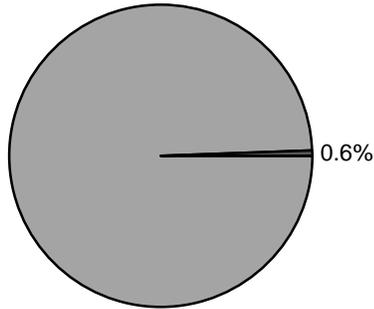


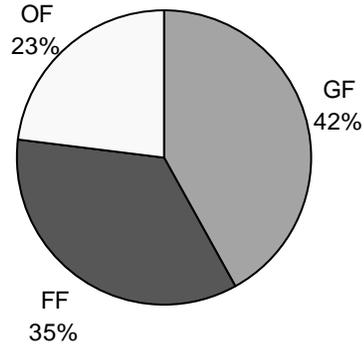
FY2006 Budget Briefing

Attorney General

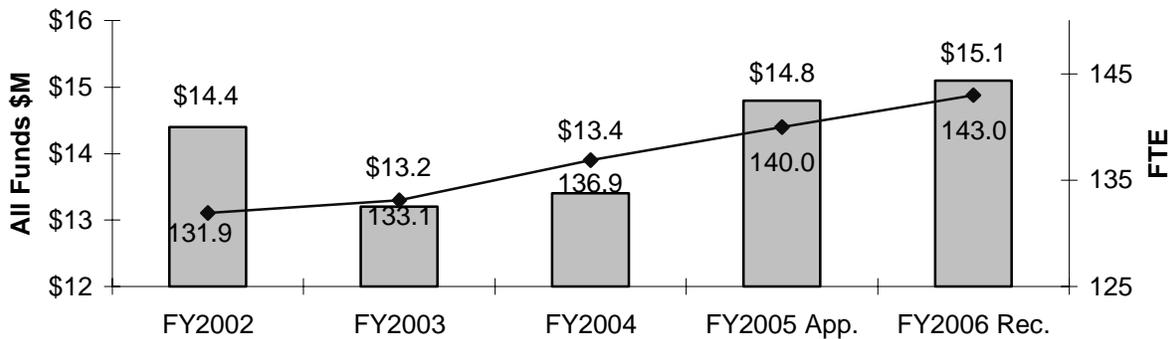
Agency's Share of Total
Budgeted State General Fund FY2006



Agency's Funding Source Split
Governor's Recommended Budget
FY2006



Budget History



Key Responsibilities

To supervise, perform, and coordinate all responsibilities vested in the Attorney General; To provide effective legal counsel and representation to all agencies of state government and political subdivisions; To issue official legal opinions to clarify questions pertaining to state law; To provide criminal investigation and prosecution on office initiative and through support of the state's attorney; To handle all appeals in the Supreme Court of South Dakota and all other courts of higher appeal; To provide legal advice, counsel, and representation in all civil, criminal, and administrative matters in which the state is a party or interested; To provide law enforcement officer training and certification; To maintain efficient law enforcement communication between all state law enforcement personnel and interstate and national law enforcement agencies; To provide consumer protection through public information, investigation of complaints, and prosecution of violations when necessary; and To fulfill all of the above goals and statutory responsibilities to the greatest extent possible with the resources available.

Key Personnel

- Attorney General, Larry Long
- Deputy Attorney General, Mark Barnett
- Kay McLain, Business Manager

Department of Attorney General Total

The Governor recommends a total appropriation of \$15,117,996 and 143.0 FTEs for the Office of the Attorney General for FY 2006. This dollar amount is comprised of \$6,329,006 from the General Fund, \$5,296,259 from federal sources, and \$3,492,731 from other funds. The Governor's recommendation is an overall increase of 2.1% in funding, with general funds increasing 7.4% over FY 2005. FTEs are increasing by 3.0.

Item	Actual FY2004	Approved FY2005*	Agency Req. FY2006	Gov. Rec. FY2006	Change from FY2005	% Change from FY2005
Personal Services	8,109,108	8,784,088	8,983,753	8,917,163	133,075	1.5%
Travel	742,664	679,435	745,866	726,366	46,931	6.9%
Contractual Services	2,101,225	2,445,259	2,467,986	2,481,986	36,727	1.5%
Supplies and Materials	527,095	627,044	626,765	626,265	(779)	-0.1%
Grants and Subsidies	1,229,771	1,808,994	1,813,994	1,813,994	5,000	0.3%
Capital Outlay	727,925	556,943	552,222	552,222	(4,721)	-0.8%
TOTAL	13,437,788	14,901,763	15,190,586	15,117,996	216,233	1.5%
Funding Sources:						
General Funds	5,143,178	5,892,812	6,436,096	6,329,006	436,194	7.4%
Federal Funds	4,659,702	5,525,396	5,257,759	5,296,259	(229,137)	-4.1%
Other Funds	3,634,908	3,483,555	3,496,731	3,492,731	9,176	0.3%
TOTAL	13,437,788	14,901,763	15,190,586	15,117,996	216,233	1.5%
FTE	136.9	142.0	144.0	143.0	1.0	0.7%

*Includes \$100,000 from federal funds and 2.0 FTEs approved by the Special Committee on Appropriations December 8, 2004 (see last page).

Major Expansions and Reductions

Program	Agency Request			Governor's Recommendation		
	State General Fund	All Funds	FTE	State General Fund	All Funds	FTE
A. Legal Services--Personal Services	150,621	150,621	2.0	150,621	150,621	2.0
B. Criminal Investigation	361,163	361,163	2.0	264,573	264,573	1.0
Total	511,784	511,784	4.0	415,194	415,194	3.0

- A. Legal Services—The Governor recommends increases in the general fund appropriation and 2.0 FTEs for staff attorneys to work with Tobacco Master Settlement Agreement Compliance and civil litigation.
- B. Criminal Investigation—The Governor recommends increased appropriations of 1.0 FTE and \$48,709 from federal funds (per agency's narrative) for a criminalist, along with an increased appropriation from the General Fund of \$264,573 to support the Internet Crimes Against Children Act unit and shortfalls in personal services. (The Governor recommends an overall decrease in appropriation from federal funds of \$138,887 for this program, see Criminal Investigation detail).

Legal Services

The Governor's FY 2006 recommended appropriation for the Legal Services program consists of \$3,485,171 from the General Fund, \$3,123,596 from federal sources, \$629,799 from other funds, and 73.0 FTEs. The Governor's recommended amounts are increases over FY 2005 in the general fund appropriation of \$171,621, \$9,750 from federal funds and 2.0 FTEs.

Item	Actual FY2004	Approved FY2005	Agency Req.		Change from FY2005	% Change from FY2005
			FY2006	Gov. Rec. FY2006		
Personal Services	4,392,997	4,566,419	4,717,040	4,717,040	150,621	3.3%
Travel	199,406	183,684	199,184	189,684	6,000	3.3%
Contractual Services	808,063	676,723	706,723	701,723	25,000	3.7%
Supplies and Materials	146,878	171,516	173,016	171,516	-	0.0%
Grants and Subsidies	926,521	1,337,736	1,342,736	1,342,736	5,000	0.4%
Capital Outlay	102,598	121,117	115,867	115,867	(5,250)	-4.3%
TOTAL	6,576,463	7,057,195	7,254,566	7,238,566	181,371	2.6%
Funding Sources:						
General Funds	3,214,812	3,313,550	3,495,671	3,485,171	171,621	5.2%
Federal Funds	2,632,199	3,113,846	3,125,096	3,123,596	9,750	0.3%
Other Funds	729,452	629,799	633,799	629,799	-	0.0%
TOTAL	6,576,463	7,057,195	7,254,566	7,238,566	181,371	2.6%
FTE	70.6	71.0	73.0	73.0	2.0	2.8%

- The Attorney General's request for 2.0 FTEs and \$150,621 from the General Fund for staff attorneys to work with the Tobacco Master Settlement Act compliance was also recommended by the Governor.
- The Governor also recommends increased appropriations for operating expenses to support the new FTEs as well as fund shortfalls in travel and contractual services.

Revenues

	<u>Actual FY2003</u>	<u>Actual FY2004</u>	<u>FY2005 Estm.</u>	<u>FY2006 Estm.</u>	<u>% Change Over FY2003</u>
DENR Legal	\$ 52,669	\$ 43,071	\$ 60,360	\$ 60,360	14.6%
GFP Legal	\$ 22,439	\$ 22,439	\$ 22,439	\$ 22,439	0.0%
Medicaid Fraud Grant	\$ 210,103	\$ 203,031	\$ 225,000	\$ 225,000	7.1%
Drug Task Force Grant	\$ 2,732,884	\$ 2,436,299	\$ 2,700,000	\$ 2,700,000	-1.2%
Drug Control Fund	\$ 465,000	\$ 470,000	\$ 470,000	\$ 470,000	1.1%
Statistical Analysis Grant	\$ 55,997	\$ 56,370	\$ 50,000	\$ 50,000	-10.7%
Totals	\$ 3,539,092	\$ 3,231,210	\$ 3,527,799	\$ 3,527,799	-0.3%

Selected Performance Indicators

	<u>FY 2003</u>	<u>FY 2004</u>	<u>FY 2005</u>	<u>FY 2006</u>
Legal Services:				
Opinions Issued	16	38	30	30
New Cases Opened/Closed/Pending (Thousands)	1.2/1.2/1.6	1.5/1.4/1.8	1.5/1.6/1.8	1.5/1.7/1.7
Briefs/Mail Docketing	163/14,888	160/13,654	165/14,500	165/14,500
Consumer Protection:				
Complaints Opened/Closed	2,261/2,326	2,607/2,186	2,500/2,100	2,500/2,100
Mail Incoming/Outgoing	7,170/13,115	7,182/9,980	7,500/10,000	7,500/10,000
Phone Calls	25,014	20,691	21,000	21,000
Charitable Solicitation Registrations	293	292	300	300
Buying Club Registrations	2	2	2	2
Value of Consumer Protection				
Complaints Resolved	\$7,520,945	\$1,708,018	\$2,000,000	\$2,000,000
Solicitors	42	41	45	45
Medicaid Fraud:				
Cases Opened/Closed/Pending	11/19/17	21/17/29	35/30/30	35/30/30
Felony/Misdemeanor Convictions	3/0	0/0	7/5	5/4
Recoveries	\$28,486	\$393,086	\$340,000	\$350,000
Funded Multi-Jurisdictional:				
Task Forces/Other Funded Projects	1/13	1/12	1/13	1/13
STAT Grant:				
Reports Published/Coordination Activities	6/10	6/14	6/14	6/14
Requests Received	102	150	140	140

Criminal Investigation

For FY 2006 the Governor recommends a 10.3% increase from the general fund of \$264,573, a decrease from federal funds of \$138,887, and an increase from other funds of \$9,176 for a net increased appropriation of \$134,862 for Criminal Investigation. The Governor also recommends an increase of FTEs by 1.0.

Item	Actual FY2004	Approved FY2005*	Agency Req. FY2006	Gov. Rec. FY2006	Change from FY2005	% Change from FY2005
Personal Services	3,165,340	3,654,626	3,703,670	3,637,080	(17,546)	-0.5%
Travel	387,752	366,324	417,255	407,255	40,931	11.2%
Contractual Services	921,682	1,354,219	1,346,946	1,365,946	11,727	0.9%
Supplies and Materials	245,542	334,296	332,517	333,517	(779)	-0.2%
Grants and Subsidies	293,750	386,258	386,258	386,258	-	0.0%
Capital Outlay	598,317	391,549	392,078	392,078	529	0.1%
TOTAL	5,612,383	6,487,272	6,578,724	6,522,134	34,862	0.5%
Funding Sources:						
General Funds	1,928,366	2,579,262	2,940,425	2,843,835	264,573	10.3%
Federal Funds	2,027,504	2,411,550	2,132,663	2,172,663	(238,887)	-9.9%
Other Funds	1,656,514	1,496,460	1,505,636	1,505,636	9,176	0.6%
TOTAL	5,612,383	6,487,272	6,578,724	6,522,134	34,862	0.5%
FTE	55.7	61.0	61.0	60.0	-1.0	-1.6%

*Includes \$100,000 from federal funds and 2.0 FTEs approved by the December 8, 2004, Special Committee on Appropriations for the Northern Plains Safe Trails Task Force.

- The Governor recommends an increase of 1.0 FTE for a criminalist and \$48,709 from federal funds. Overall for personal services for Criminal Investigation, the Governor recommends an increased appropriation of \$199,641 from the General Fund and a reduction of \$117,187 from federal sources.
- The Governor's overall recommendation of an increase in appropriation from the General Fund for this program also provides funding to support the Internet Crimes Against Children Act unit and personal services and operating expense shortfalls.

Revenues

	<u>Actual FY2003</u>	<u>Actual FY2004</u>	<u>FY2005 Estm.</u>	<u>FY2006 Estm.</u>	<u>% Change Over FY2003</u>
Record Check	265,261	249,386	250,000	250,000	-5.8%
Marijuana Eradication Grant	113,000	77,000	77,000	77,000	-31.9%
Total	378,261	326,386	327,000	327,000	-13.6%

Selected Performance Indicators

	ACTUAL	ACTUAL	ESTIMATED	ESTIMATED
	FY 2003	FY 2004	FY 2005	FY 2006
Investigations Conducted by DCI	622	683	700	700
Polygraph Exams Conducted	91	119	125	125
Criminal Fingerprint Cards Received and Processed	25,488	6,000	27,000	28,000
Noncriminal Background Fingerprint Checks	16,000	15,500	17,500	18,500
Sex Offender Fingerprint Card Processing	1,600	1,625	1,750	1,850
Criminal Record Checks Received and Complied With	74,839	76,800	82,000	83,000
Criminal Records Updated	40,000	40,000	41,000	42,000
Value of Drugs Seized	\$1,500,000	\$1,600,000	\$1,600,000	\$1,600,000
Lab Reports	800	752	800	800
Hours in Court by Lab	680	765	770	770

Law Enforcement Training

The Governor recommends a total appropriation for Law Enforcement Training of \$1,170,951 from other funds and 8.0 FTEs for FY2006.

Item	Actual FY2004	Approved FY2005	Agency Req. FY2006	Gov. Rec. FY2006	Change from FY2005	% Change from FY2005
Personal Services	466,036	470,314	470,314	470,314	-	0.0%
Travel	148,731	118,827	118,827	118,827	-	0.0%
Contractual Services	338,446	344,551	344,551	344,551	-	0.0%
Supplies and Materials	128,622	113,232	113,232	113,232	-	0.0%
Grants and Subsidies	9,500	85,000	85,000	85,000	-	0.0%
Capital Outlay	23,574	39,027	40,238	39,027	-	0.0%
TOTAL	1,114,909	1,170,951	1,172,162	1,170,951	-	0.0%
Funding Sources:						
General Funds	-	-	-	-	-	0.0%
Federal Funds	-	-	-	-	-	0.0%
Other Funds	1,114,909	1,170,951	1,170,951	1,170,951	-	0.0%
TOTAL	1,114,909	1,170,951	1,170,951	1,170,951	-	0.0%
FTE	8.6	8.0	8.0	8.0	-	0.0%

- The Governor's recommendation is the same as the Attorney General's request, which is status quo with FY 2005.

Revenues

	<u>Actual FY2003</u>	<u>Actual FY2004</u>	<u>FY2005 Estm.</u>	<u>FY2006 Estm.</u>	<u>% Change Over FY2003</u>
Law Enforcement Revolving Fund	2,345,679	2,324,015	2,722,765	2,722,765	16.1%

Selected Performance Indicators

Officers Certified, Basic 520-Hour Course	105	109	135	135
Officers Attending Specialized, Advanced, and Field Courses	3,465	3,363	3,465	3,465
Courses Scheduled	70	50	70	70
Officers Attending Grant Training	237	27	200	200
Grants Awarded	9	2	14	14
People from Other Groups Conducting Seminars and Meetings Using Training Facilities	2,100	2,100	2,100	2100
Officers Requesting Reciprocity Certification	15	20	18	18
Officers Receiving Reciprocity Certification	8	14	9	9
Reserve Officers Certified in SD	172	202	120	120
Pending Certification Law Enforcement Officers in South Dakota	82	80	120	120
Officers Certified	1,570	1,606	1,625	1,625
D.A.R.E. Participating Agencies	77	71	78	78
Schools with D.A.R.E.	161	141	161	161
Student Participation	8,479	7,037	10,000	10,000
Cities with D.A.R.E.	203	88	100	100
D.A.R.E. Officers	137	138	137	137

911 Training

The Governor recommends a status quo appropriation of \$186,345 from other funds and 2.0 FTEs for the 911 Training program for FY 2006.

Item	Actual FY2004	Approved FY2005	Agency Req. FY2006	Gov. Rec. FY2006	Change from FY2005	% Change from FY2005
Personal Services	84,734	92,729	92,729	92,729	-	0.0%
Travel	6,775	10,600	10,600	10,600	-	0.0%
Contractual Services	33,034	69,766	69,766	69,766	-	0.0%
Supplies and Materials	6,054	8,000	8,000	8,000	-	0.0%
Capital Outlay	3,436	5,250	5,250	5,250	-	0.0%
TOTAL	134,034	186,345	186,345	186,345	-	0.0%
Funding Sources:						
General Funds	-	-	-	-	-	0.0%
Federal Funds	-	-	-	-	-	0.0%
Other Funds	134,034	186,345	186,345	186,345	-	0.0%
TOTAL	134,034	186,345	186,345	186,345	-	0.0%
FTE	2.0	2.0	2.0	2.0	0.0	0.0%

Revenues

	<u>Actual FY2003</u>	<u>Actual FY2004</u>	<u>FY2005 Estm.</u>	<u>FY2006 Estm.</u>	<u>% Change Over FY2003</u>
911 Law Enforcement Revolving Fund	\$ 138,610	\$ 134,124	\$ 134,124	\$ 134,124	-3.2%

Selected Performance Indicators

	<u>ACTUAL FY 2003</u>	<u>ACTUAL FY 2004</u>	<u>ESTIMATED FY 2005</u>	<u>ESTIMATED FY 2006</u>
911 Telecommunicators Certified	55	55	70	70
Telecommunicators Attending Advanced Courses	115	103	90	90
Courses Scheduled	13	19	15	15
Terminal Operators Certified	108	335	300	300
Active Certified 911 Telecommunicators	469	421	470	470
Active Terminal Operators	915	1343	925	925
Audits In-State National Crime Info. Center	37	96	50	50

Other Departmental Issues

A. Interim Appropriation Actions

The Special Committee on Appropriations approved 2.0 FTEs and \$100,000 from other funds for an increase in Criminal Investigation. The funding is flowthrough from the Department of Housing and Urban Development for the Northern Plains Safe Trails Task Force, a unit which will focus on drug interdiction and violent crime prevention on the reservations.

	Approved		
	FY2005 Budget	Interim Action	Revised Budget
Funding Sources:			
General Funds	\$ 5,892,812	\$ -	\$ 5,892,812
Federal Funds	\$ 5,425,396	\$ 100,000	\$ 5,525,396
Other Funds	\$ 3,483,555	\$ -	\$ 3,483,555
Total	<u>\$ 14,801,763</u>	<u>\$ -</u>	<u>\$ 14,801,763</u>
F.T.E.	140.0	2.0	142.0