

Attorney General: The Honorable Janet Napolitano

JLBC Analyst: Kim Hohman

	FY 2001 Actual	FY 2002 Estimate	FY 2003 Approved
COST CENTER SUMMARY			
Administration	7,669,300	7,966,700	8,049,800
Agency Counsel	7,922,100	8,376,200	8,626,500
Child and Family	144,300	115,000	115,000
Civil	11,000,300	12,538,300	12,858,400
Civil Rights	2,060,400	1,963,100	2,031,800
Public Advocacy	6,627,200	7,732,000	7,643,400
Criminal	12,368,300	11,415,200	11,553,700
Lump Sum Reduction	0	0	(811,600)
TOTAL APPROPRIATIONS	47,791,900	50,106,500	50,067,000
OPERATING BUDGET			
Full Time Equivalent Positions	693.2	697.5	678.5 ^{1/}
Personal Services	28,843,900	31,443,500	32,350,500
Employee Related Expenditures	5,608,100	6,451,500	6,755,600
Professional and Outside Services	777,200	1,359,700	1,159,700
Travel - In State	318,400	331,600	282,600
Travel - Out of State	182,900	104,700	104,700
Other Operating Expenditures	6,328,300	6,717,000	6,617,300
Equipment	1,210,800	312,700	197,500
Lump Sum Reduction	0	0	(811,600)
<i>Operating Subtotal</i>	43,269,600	46,720,700	46,656,300
State Grand Jury	156,400	158,400	160,000 ^{2/}
Alternative Fuels	96,100	82,400	82,400
Victims' Rights	4,269,800	3,145,000	3,168,300
TOTAL APPROPRIATIONS	47,791,900	50,106,500	50,067,000 ^{3/4/5/}
FUND SOURCES			
General Fund	26,315,300	25,971,800	25,725,200
Other Appropriated Funds			
Anti-Racketeering Fund	0	100,000	0
Anti-Trust Enforcement Revolving Fund	468,500	379,000	138,800 ^{6/}
Collection Enforcement Revolving Fund	1,895,900	2,025,400	2,097,100
Consumer Fraud Revolving Fund	939,000	1,717,200	1,758,200
Interagency Service Agreements Fund	14,407,800	16,768,100	17,179,400
Victims' Rights Fund	3,765,400	3,145,000	3,168,300
<i>Subtotal - Other Appropriated Funds</i>	21,476,600	24,134,700	24,341,800
TOTAL APPROPRIATIONS	47,791,900	50,106,500	50,067,000

^{1/} Includes 10 FTE Positions funded from Special Line Items in FY 2003.

^{2/} The \$160,000 appropriated for State Grand Jury expenses is for costs incurred pursuant to A.R.S. § 21-428C. It is the intent of the Legislature that State Grand Jury expenses be limited to the amount appropriated and that a supplemental appropriation will not be provided. (General Appropriation Act footnote, as adjusted for statewide allocations)

^{3/} The Attorney General shall notify the President of the Senate, the Speaker of the House of Representatives and the Joint Legislative Budget Committee before entering into a settlement of \$100,000 or more that will result in the receipt of monies by the Attorney General or any other person. The Attorney General shall not allocate or expend these monies until the Joint Legislative Budget Committee reviews the allocations or expenditures. Settlements that pursuant to statute must be deposited in the state General Fund need not be reviewed by the Joint Legislative Budget Committee. This paragraph does not apply to actions under Title 13, Arizona Revised Statutes, or other criminal matters. (General Appropriation Act footnote)

AGENCY DESCRIPTION — *The Attorney General is an elected constitutional officer. The Administration Division provides internal executive policy direction, advises state officials, agencies and county attorneys, and certifies state rules. The Agency Counsel Division provides legal counsel to agencies, boards, commissions, and committees. The Children and Family Division represents the state in juvenile dependency matters. The Civil Division provides general legal services to state agencies, represents the state in lawsuits and other matters, and issues formal legal opinions. The Civil Rights Division enforces civil rights. The Public Advocacy Division enforces environmental, consumer protection and anti-trust laws. The Criminal Division investigates and prosecutes criminal cases, handles criminal appeals, and assists county attorneys.*

PERFORMANCE MEASURES	FY 1999	FY 2000	FY 2001	FY 2002-03
	Est./Actual	Est./Actual	Est./Actual	Estimate
• Solicitor General – Number of days to respond to a request for a legal opinion	80/80	80/71	70/63	70
• Civil Rights – % of cases resolved using voluntary settlement agreements	NA/22	NA/16.3	21.2/16	25.6/30
• % of death penalty and/or sentences affirmed by the Arizona Supreme Court	NA/75	NA/67	80/100	80
• % of agency staff turnover	NA/15.0	NA/17.6	16/15.5	16
• Administrative cost as % of total cost	NA	10.4/NA	10.5/NA	7.6
• Customer satisfaction rating for client agencies (Scale 1-8)	NA	NA	6.0/7.1	6.0

Unfunded FTE Positions — The approved amount includes a General Fund decrease of (19) FTE Positions below FY 2002 due to the statewide elimination of unfunded FTE Positions. For details on the methodology used to calculate the reduction, please see the *General Provisions* section at the front of the *Appropriations Report*.

Elimination of Equipment Funding — The approved amount includes a General Fund decrease of \$(115,200) below FY 2002 due to the elimination of one-time equipment funding.

Bullet-Proof Vest Funding – The approved amount includes an Anti-Racketeering Fund decrease of \$(100,000) below FY 2002 due to the elimination of one-time funding for the Attorney General’s Bullet-Proof Vest program.

Special Line Items

State Grand Jury — The approved amount includes \$160,000 from the General Fund for expenses incurred by the Attorney General to investigate and try matters that are under the jurisdiction of the State Grand Jury.

Alternative Fuels — This program provides legal and investigative services to the Department of Administration and the Department of Revenue that are needed to administer the Alternative Fuel Cost Reimbursement Program. This program receives General Fund monies. The JLBC Staff anticipates the elimination of this Special Line Item at the end of FY 2003.

Victims’ Rights — This program provides monies to state and local agencies who are required to notify victims during various steps in the criminal justice process. The program includes 7.68% of Criminal Justice Enhancement Fund monies and an assessment on parents of juvenile offenders. This program is funded entirely from the Victims Rights Implementation Fund.

Additional Legislation: Omnibus Budget Reconciliation: Public Finances (Chapter 328) — This legislation eliminates a provision requiring the reversion of monies transferred from the Collection Enforcement Revolving Fund to the Attorney General’s Federal Funds account, pursuant to Laws 2001, Chapter 238. The transferred monies are used to eliminate a backlog of child abuse and placement cases associated with the Model Court program and were to revert to the General Fund at the end of FY 2002. Chapter 328 allows the department to continue to

4/ In addition to the \$17,179,400 appropriated from the Interagency Service Agreements Fund, an additional \$370,000 and 5 FTE Positions are appropriated from the Interagency Service Agreements Fund for new or expanded interagency service agreements. The Attorney General shall report to the Joint Legislative Budget Committee whenever an interagency service agreement is established that will require expenditures from the additional amount. The report shall include the name of the agency or entity with which the agreement is made, the dollar amount of the contract by fiscal year and the number of associated FTE Positions. (General Appropriation Act footnote, as adjusted for statewide allocations)

5/ General Appropriation Act (Laws 2002, Chapter 327) funds are appropriated as an Operating Lump Sum with Special Line Items by Agency.

6/ All revenues received by the Antitrust Enforcement Revolving Fund in excess of \$138,800 are appropriated. Expenditures from the fund may not exceed \$750,000 in FY 2003. Before the expenditure of any Antitrust Enforcement Revolving Fund receipts in excess of \$138,800 in FY 2003, the Attorney General shall submit the intended uses of the monies for review by the Joint Legislative Budget Committee. (General Appropriation Act footnote, as adjusted for statewide allocations)

use the monies for the Model Court program after FY 2002. The Attorney General's Office estimates this amount to be approximately \$500,000.

Other Issues: The following table displays the individual agency ISA expenditure amounts for FY 2002. Negotiations for the FY 2003 ISAs have not been finalized between the Office of the Attorney General and its client agencies, therefore, actual expenditures for FY 2003 may vary.

Interagency Service Agreements with the Office of the Attorney General		
<u>Client Agency</u>	<u>FTEs</u>	<u>Expenditures</u>
Solicitor General's Office		
Clean Elections Commission	1.5	\$ 120,000
Secretary of State	0.5	25,400
Board of Medical Examiners	<u>1.8</u>	<u>93,800</u>
Subtotal	3.8	\$239,200
Agency Counsel Division		
Lottery	1.5	\$ 120,500
Retirement	2	174,900
Dept. of Administration – Employment Unit	1.1	65,000
Dept. of Corrections – Employee Relations	0.5	38,500
Disease Control Research	0.5	43,500
Veterans' Service Commission	0.5	43,900
Exposition and State Fair Board	1	92,600
Dept. of Emergency & Military Affairs	0	30,000
Dept. of Gaming	2	152,200
Juvenile Corrections	0.5	0
Dept. of Health Services – Legal Services	11.3	789,000
Dept. of Health Services – Outside Counsel	0	0
Dept. of Education	0.5	62,500
School Facilities Board	1.3	83,900
Land Department	3	226,200
Dept. of Game & Fish	0	2,500
Dept. of Transportation	<u>1.3</u>	<u>134,600</u>
Subtotal	27.0	\$2,059,800
Child and Family Division		
Department of Economic Security (DES)	0	\$ 150,000
Civil Division		
Dept. of Administration - Risk Management	104	\$7,077,700
Dept. of Administration - Risk Mgt. Case Related	0	144,000
Dept. of Corrections - Legal Staff	2	110,000
Board of Medical Examiners	4.5	314,400
Cosmetology Board	0.8	70,100
Appraisal Board	0.7	65,100
Technical Registration Board	1	51,900
Accountancy Board	1.3	97,700
Dental Examiner	1	88,400
Nursing Board	3.4	264,900
Dept. of Public Safety	1	83,900
Dept. of Public Safety	1	72,600
Department of Public Safety – Peace Officers' Training	0.8	73,500
Accountancy Board – Accounting Enforcement Unit	5	304,600
Dept. of Transportation - Legal Services	26	2,156,800
Dept. of Transportation - Right-of-way	5	342,600
Optometry Board	<u>0.2</u>	<u>12,000</u>
Subtotal	157.7	\$11,330,200

<u>Client Agency</u>	<u>FTEs</u>	<u>Expenditures</u>
Civil Rights Division		
DES - Division of Developmental Disabilities Mediation	0.1	2,000
Mediation Training	1	31,000
Registrar of Contractors	0.2	8,000
Structural Pest Mediation	0.1	2,000
DES - Rehabilitation Services Administration	0.1	4,500
Non-State ISAs	<u>4.1</u>	<u>131,200</u>
Subtotal	5.6	\$178,700
Public Advocacy Division		
Banking Department	0.6	\$ 63,600
Real Estate Department	0.7	58,700
Department of Insurance - Legal Services (Civil)	0	7,500
Corporation Commission - Securities Division	0.5	0
Dept. of Health Services – Tobacco Enforcement	2.5	250,000
Dept. of Environmental Quality – Underground Storage Tanks	3	230,900
Dept. of Environmental Quality – Water Quality Assurance	16	1,033,300
Dept. of Environmental Quality - Civil Investigation	3	210,000
Dept. of Environmental Quality - Air Quality	2	192,000
Dept. of Environmental Quality – Automation	0	3,500
Dept. of Agriculture	<u>1</u>	<u>84,500</u>
Subtotal	29.3	\$2,134,000
Criminal Division		
Dept. of Revenue - Tax Enforcement	2	\$150,400
Department of Insurance - Legal Serv. (Criminal)	2	163,000
Dept. of Insurance - State Compensation Investigation	1	120,000
Dept. of Education - School Fraud Enforcement	1	69,100
Governor's Office - Law Enforcement	<u>1</u>	<u>134,000</u>
Subtotal	7	\$636,500
Contingency Amount		<u>370,000</u>
Total Budgeted Expenditures ^{1/}	230.0	\$17,098,400
^{1/} Does not total to the FY 2002 ISA appropriation.		

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