

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1003

That the Senate recede from its amendments as printed on pages 1171 and 1172 of the House Journal and pages 1002 and 1003 of the Senate Journal and that Engrossed House Bill No. 1003 be amended as follows:

Page 1, line 2, remove "to create and enact a new subsection to section 31-13-03 of the North Dakota Century"

Page 1, line 3, remove "Code, relating to DNA testing;" and after "reenact" insert "subsection 1 of section 53-12.1-04 and"

Page 1, line 4, after the first "to" insert "the lottery commission and" and remove "and"

Page 1, line 5, after "study" insert "; to provide legislative intent; and to declare an emergency"

Page 1, line 14, replace "2,396,350" with "3,351,102" and replace "24,824,285" with "25,779,037"

Page 1, line 15, replace "2,829,979" with "3,513,279" and replace "13,426,505" with "14,109,805"

Page 1, line 17, replace "(637,775)" with "(744,775)" and replace "3,559,225" with "3,452,225"

Page 1, line 24, replace "4,210,569" with "5,741,621" and replace "48,101,731" with "49,632,783"

Page 2, line 1, replace "1,008,689" with "1,167,232" and replace "21,910,610" with "22,069,153"

Page 2, line 2, replace "3,201,880" with "4,574,389" and replace "26,191,121" with "27,563,630"

Page 2, line 3, replace "2.50" with "4.00" and replace "191.00" with "192.50"

Page 2, line 17, replace "\$617,000" with "\$510,000"

Page 3, replace lines 11 through 14 with:

"SECTION 8. AMENDMENT. Subsection 1 of section 53-12.1-04 of the North Dakota Century Code is amended and reenacted as follows:

1. There is created the lottery advisory commission, which is composed of five members, three of whom are legislators selected by the chairman of the legislative council and two of whom are selected by the attorney general. The term of office is three years, expiring on June thirtieth with no more than two terms expiring in any one year. ~~No member may be appointed to more than two consecutive terms.~~ Each member must be a citizen of the United States and a resident of this state. A chairman of the commission must be chosen annually from the membership of the

commission by a majority of its members at the first meeting of the commission each fiscal year. A member may serve as chairman for more than one year."

Page 3, line 19, overstrike "2008" and insert immediately thereafter "2010"

Page 3, line 20, after the period insert "Beginning January 1, 2011, the annual salary of the attorney general must be increased by one-half of the difference between the December 2010 salary of the attorney general and the December 2010 salary of a justice of the North Dakota supreme court. Beginning July 1, 2012, the annual salary of the attorney general must be the same annual salary as a justice of the North Dakota supreme court."

Page 3, after line 20, insert:

"SECTION 10. LEGISLATIVE INTENT - SALARY OF ATTORNEY GENERAL.

It is the intent of the sixty-first legislative assembly that reference to the salary of a justice of the North Dakota supreme court is made only for the purpose of establishing a dollar amount to be used to initiate the salary changes referenced in section 9 of this Act, and not as a benchmark with respect to the relationship of compensation of the attorney general to that of a justice of the North Dakota supreme court.

SECTION 11. LEGISLATIVE INTENT - LEGAL SERVICE STAFF TRAVEL.

It is the intent of the sixty-first legislative assembly that the office of the attorney general continue the practice of state agencies paying directly for requested legal service staff travel.

SECTION 12. APPROPRIATION - FEDERAL FISCAL STIMULUS FUNDS - ADDITIONAL FUNDING APPROVAL. The funds provided in this section, or so much of the funds as may be necessary, are appropriated from federal funds made available to the state under the federal American Recovery and Reinvestment Act of 2009, not otherwise appropriated, to the attorney general, for the period beginning with the effective date of this Act and ending June 30, 2011, as follows:

| | |
|----------------------------------------------------------------|----------------|
| Edward Byrne memorial justice assistance grant program funding | \$1,652,426 |
| Internet crimes against children grant program funding | 216,174 |
| Rural Law Enforcement Assistance Act funding | <u>390,588</u> |
| Total federal funds | \$2,259,188 |
| Full-time equivalent positions | 8.00 |

The attorney general may seek emergency commission and budget section approval under chapter 54-16 for authority to spend any additional federal funds received under the federal American Recovery and Reinvestment Act of 2009 in excess of the amounts appropriated in this section for the period beginning with the effective date of this Act and ending June 30, 2011.

The attorney general may accept federal fiscal stimulus funding for programs that continue into the biennium beginning July 1, 2011, and ending June 30, 2013. Any federal fiscal stimulus funding received in the 2011-13 biennium is not a part of the agency's 2013-15 base budget.

SECTION 13. FEDERAL FISCAL STIMULUS FUNDS - COMMUNITY ORIENTED POLICING SERVICES GRANTS - APPROVAL. The attorney general shall seek emergency commission and budget section approval under chapter 54-16 for authority to accept and spend federal funds received under the federal American Recovery and Reinvestment Act of 2009 for the community oriented policing services grant program, for the period beginning with the effective date of this Act and ending June 30, 2011. The attorney general may seek authority to hire up to two additional full-time equivalent positions with funding authorized under this section.

SECTION 14. ATTORNEY GENERAL REFUND FUND TRANSFER TO THE GENERAL FUND - EXCEPTION. Notwithstanding section 54-12-18, the attorney general may retain the balance in the attorney general refund fund that would otherwise be transferred to the general fund on June 30, 2009.

SECTION 15. EMERGENCY. Sections 12, 13, and 14 of this Act are declared to be an emergency measure."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT - LC 98004.0213 FN 2

A copy of the statement of purpose of amendment is attached.