

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2003

That the House recede from its amendments as printed on pages 1128-1130 of the Senate Journal and pages 1233-1235 of the House Journal and that Engrossed Senate Bill No. 2003 be amended as follows:

Page 1, line 3, replace "and" with "to provide a contingent appropriation; to provide an exemption;"

Page 1, line 4, after "expenses" insert "; and to declare an emergency"

Page 1, line 11, replace "18,246,035" with "18,461,301"

Page 1, line 12, replace "8,025,869" with "7,995,471"

Page 1, line 18, replace "34,058,823" with "34,243,691"

Page 1, line 19, replace "17,444,577" with "17,429,474"

Page 1, line 20, replace "16,614,246" with "16,814,217"

Page 1, after line 20, insert:

**"SECTION 2. CONTINGENT APPROPRIATION.** There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$240,000, or so much of the sum as may be necessary, to the attorney general for the purpose of defraying the expenses of defending the state's school finance system for the biennium beginning July 1, 2003, and ending June 30, 2005. These funds may be spent only if the attorney general is required to defend the state in a lawsuit involving the state's school finance system during the 2003-05 biennium.

**SECTION 3. EXEMPTION.** The appropriation contained in section 1 of chapter 3 of the 2001 Session Laws is not subject to the provisions of section 54-44.1-11 for an amount of up to \$66,000, and this amount may be used by the attorney general for defraying the expenses associated with conducting criminal background checks during the biennium beginning July 1, 2003, and ending June 30, 2005.

**SECTION 4. ATTORNEY GENERAL REFUND 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, 2003."

Page 2, after line 26, insert:

**"SECTION 10. EMERGENCY.** Sections 3 and 4 of this Act are declared to be an emergency measure."

Re-number accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**Senate Bill No. 2003 - Attorney General - Conference Committee Action**

	EXECUTIVE BUDGET	SENATE VERSION	CONFERENCE COMMITTEE CHANGES	CONFERENCE COMMITTEE VERSION	HOUSE VERSION	COMPARISON TO HOUSE
Salaries and wages	\$18,294,636	\$18,246,035	\$215,266	\$18,461,301	\$18,461,301	
Operating expenses	7,831,087	8,025,869	(30,398)	7,995,471	7,738,043	\$257,428
Capital assets	1,784,250	1,830,250		1,830,250	1,830,250	
Grants	5,841,560	5,891,560		5,891,560	5,891,560	
Litigation fees	50,000	50,000		50,000	50,000	
Arrest and return of fugitives	10,000	10,000		10,000	10,000	
Gaming Commission	5,109	5,109		5,109	5,109	
Contingent appropriation			240,000	240,000	240,000	
Total all funds	\$33,816,642	\$34,058,823	\$424,868	\$34,483,691	\$34,226,263	\$257,428
Less estimated income	<u>17,349,237</u>	<u>17,444,577</u>	<u>(15,103)</u>	<u>17,429,474</u>	<u>17,537,418</u>	<u>(107,944)</u>
General fund	\$16,467,405	\$16,614,246	\$439,971	\$17,054,217	\$16,688,845	\$365,372
FTE	171.00	171.00	11.00	182.00	176.00	6.00

**Dept. 125 - Attorney General - Detail of Conference Committee Changes**

	ADDS CONTINGENT APPROPRIATION <sup>1</sup>	ADDS FUNDING FOR BACKGROUND CHECKS <sup>2</sup>	RESTORES FUNDING FOR TRAINING POSITION <sup>3</sup>	ADDS NEW POSITIONS <sup>4</sup>	REDUCES RECOMMENDED FUNDING FOR HEALTH INSURANCE <sup>5</sup>	REDUCES FUNDING FOR INFORMATION TECHNOLOGY COSTS <sup>6</sup>
Salaries and wages		\$130,600	\$102,416		(\$17,750)	
Operating expenses		49,400	31,584			(\$111,382)
Capital assets						
Grants						
Litigation fees						
Arrest and return of fugitives						
Gaming Commission						
Contingent appropriation	<u>\$240,000</u>					
Total all funds	\$240,000	\$180,000	\$134,000	\$0	(\$17,750)	(\$111,382)
Less estimated income					<u>(2,174)</u>	<u>(12,929)</u>
General fund	\$240,000	\$180,000	\$134,000	\$0	(\$15,576)	(\$98,453)
FTE	0.00	2.00	1.00	2.00	0.00	0.00
	RECOGNIZES POSITIONS FOR LOTTERY <sup>7</sup>	TOTAL CONFERENCE COMMITTEE CHANGES				
Salaries and wages		\$215,266				
Operating expenses		(30,398)				
Capital assets						
Grants						
Litigation fees						
Arrest and return of fugitives						
Gaming Commission						
Contingent appropriation		<u>240,000</u>				
Total all funds	\$0	\$424,868				
Less estimated income		<u>(15,103)</u>				
General fund	\$0	\$439,971				
FTE	6.00	11.00				

<sup>1</sup> A section is added providing a \$240,000 contingent general fund appropriation for defending the state's school finance system if a lawsuit is filed during the 2003-05 biennium, the same as the House version.

<sup>2</sup> Funding is added for two FTE identification technician positions for conducting additional criminal background checks during the 2003-05 biennium, the same as the House version.

<sup>3</sup> The executive budget removed two FTE law enforcement training positions. The Senate restored one of the two positions. The House restored the other position with approximately 50 percent of the funding for the position being from the general fund and approximately 50 percent from an increase in peace officer license fees. This amendment restores the second position with funding from the general fund.

<sup>4</sup> Section 4 is added allowing the Attorney General to retain the June 30, 2003, balance in the Attorney General refund fund estimated at \$594,984 rather than transferring the balance to the general fund. The March 2003 general fund revenue forecast did not anticipate any funds being transferred from the refund fund on June 30, 2003. The Attorney General will use \$394,984 of the funding to hire two additional FTE positions and for other costs associated with enforcing provisions of Senate Bill No. 2255 relating to telephone solicitations and \$200,000 for legal services relating to the State Water Commission. The Attorney General's 2003-05 biennium appropriation is not changed because the funds in the refund fund may be spent by the Attorney General pursuant to a continuing appropriation.

<sup>5</sup> Funding for state employee health insurance premiums is reduced from \$493 to \$488.70 per month, the same as the House version.

<sup>6</sup> This amendment reduces funding for information technology by \$111,382, of which \$98,453 is from the general fund and \$12,929 is from the Attorney General's operating fund, which represents a reduction in information technology funding from the general fund and special funds of approximately 5 percent.

<sup>7</sup> An additional six FTE positions are authorized for administering the North Dakota lottery pursuant to provisions of House Bill No. 1243. Funding for the positions and other operating costs of the lottery are appropriated to the Attorney General pursuant to a continuing appropriation in House Bill No. 1243.

Section 3 is added allowing the Attorney General to continue up to \$66,000 of the Attorney General's 2001-03 biennium general fund appropriation for the purpose of defraying the expenses associated with conducting additional criminal background checks during the 2003-05 biennium, the same as the House version.

An emergency clause is added relating to Sections 3 and 4 which were added by this amendment, the same as the House version.