

**FIRST ENGROSSMENT
with House Amendments**

Fifty-eighth
Legislative Assembly
of North Dakota

ENGROSSED SENATE BILL NO. 2003

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 create and enact a new section to chapter 12-63 of the North Dakota Century Code,
3 relating to peace officer license fees; to amend and reenact subsection 3 of section 53-06.1-14
4 of the North Dakota Century Code, relating to administration of gaming stamps; to provide a
5 contingent appropriation; to provide an exemption; to provide for racing commission expenses;
6 and to declare an emergency.

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

8 **SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the
9 funds as may be necessary, are appropriated out of any moneys in the general fund in the state
10 treasury, not otherwise appropriated, and from special funds derived from federal funds and
11 other income, to the attorney general for the purpose of defraying the expenses of the attorney
12 general, for the biennium beginning July 1, 2003, and ending June 30, 2005, as follows:

13 Salaries and wages	\$18,461,301
14 Operating expenses	7,738,043
15 Capital assets	1,830,250
16 Grants	5,891,560
17 Litigation fees	50,000
18 Arrest and return of fugitives	10,000
19 Gaming commission	<u>5,109</u>
20 Total all funds	\$33,986,263
21 Less estimated income	<u>17,537,418</u>
22 Total general fund appropriation	\$16,448,845

23 **SECTION 2. CONTINGENT APPROPRIATION.** There is appropriated out of any
24 moneys in the general fund in the state treasury, not otherwise appropriated, the sum of

1 \$240,000, or so much of the sum as may be necessary, to the attorney general for the purpose
2 of defraying the expenses of defending the state's school finance system for the biennium
3 beginning July 1, 2003, and ending June 30, 2005. These funds may be spent only if the
4 attorney general is required to defend the state in a lawsuit involving the state's school finance
5 system during the 2003-05 biennium.

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

11 **SECTION 4. ATTORNEY GENERAL REFUND FUND - EXCEPTION.** Notwithstanding
12 section 54-12-18, the attorney general may retain the balance in the attorney general refund
13 fund that would otherwise be transferred to the general fund on June 30, 2003.

14 **SECTION 5. ESTIMATED INCOME - GAMING AND EXCISE TAX ALLOCATION**
15 **FUND - LOCAL GAMING ENFORCEMENT GRANTS.** The line item entitled grants in
16 section 1 of this Act includes \$617,000 for local gaming enforcement grants.

17 **SECTION 6. FIRE AND TORNADO FUND - FEES.** The attorney general shall charge
18 and collect fees for services provided by the state fire marshal program to entities covered by
19 the fire and tornado fund under chapter 26.1-22. Fees under this section may be collected in
20 amounts of up to a total of \$300,000 for the biennium beginning July 1, 2003, and ending
21 June 30, 2005. All fees collected under this section must be deposited in the attorney general's
22 operating fund.

23 **SECTION 7. PETROLEUM RELEASE COMPENSATION FUND - FEES.** The attorney
24 general shall charge and collect fees for services provided by the state fire marshal program to
25 entities covered by the petroleum release compensation fund under chapter 23-37. Fees under
26 this section may be collected in amounts of up to a total of \$35,000 for the biennium beginning
27 July 1, 2003, and ending June 30, 2005. All fees collected under this section must be
28 deposited in the attorney general's operating fund.

29 **SECTION 8. ESTIMATED INCOME - RACING PROMOTION, PURSE, AND**
30 **BREEDERS' FUNDS.** Notwithstanding section 53-06.2-11, the estimated income line item in
31 section 1 of this Act includes \$50,000 from the racing promotion fund, \$50,000 from the purse

1 fund, and \$50,000 from the breeders' fund for the purpose of defraying the administrative and
2 operating costs of the racing commission for the biennium beginning July 1, 2003, and ending
3 June 30, 2005.

4 **SECTION 9.** A new section to chapter 12-63 of the North Dakota Century Code is
5 created and enacted as follows:

6 **Peace officer training fee.** In addition to any fee authorized under section 12-63-05,
7 the board shall assess a peace officer training fee of fifty-five dollars on each application for a
8 license, an initial license, a renewal of a license, and a late renewal of a license. All collections
9 under this section must be transferred to the attorney general for deposit in the attorney general
10 operating fund for the purpose of defraying the expenses of peace officer training programs.

11 **SECTION 10. AMENDMENT.** Subsection 3 of section 53-06.1-14 of the North Dakota
12 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 thirty-five cents each. Ten cents of each stamp sold, up to thirty-six
17 thousand dollars per biennium, must be credited to the attorney general's
18 operating fund to defray the costs of issuing and administering the gaming stamps.

19 **SECTION 11. EMERGENCY.** Sections 3 and 4 of this Act are declared to be an
20 emergency measure.