

**FIRST ENGROSSMENT
with Conference Committee Amendments****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 amend and reenact subsection 3 of section 53-06.1-14 of the North Dakota Century
3 Code, relating to administration of gaming stamps; to provide a contingent appropriation; to
4 provide an exemption; to provide for racing commission expenses; and to declare an
5 emergency.

6 BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

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

12 Salaries and wages	\$18,461,301
13 Operating expenses	7,995,471
14 Capital assets	1,830,250
15 Grants	5,891,560
16 Litigation fees	50,000
17 Arrest and return of fugitives	10,000
18 Gaming commission	<u>5,109</u>
19 Total all funds	\$34,243,691
20 Less estimated income	<u>17,429,474</u>
21 Total general fund appropriation	\$16,814,217

22 **SECTION 2. CONTINGENT APPROPRIATION.** There is appropriated out of any
23 moneys in the general fund in the state treasury, not otherwise appropriated, the sum of
24 \$240,000, or so much of the sum as may be necessary, to the attorney general for the purpose

1 of defraying the expenses of defending the state's school finance system for the biennium
2 beginning July 1, 2003, and ending June 30, 2005. These funds may be spent only if the
3 attorney general is required to defend the state in a lawsuit involving the state's school finance
4 system during the 2003-05 biennium.

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

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

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

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

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

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

1 operating costs of the racing commission for the biennium beginning July 1, 2003, and ending
2 June 30, 2005.

3 **SECTION 9. AMENDMENT.** Subsection 3 of section 53-06.1-14 of the North Dakota
4 Century Code is amended and reenacted as follows:

5 3. A licensed distributor shall affix a North Dakota gaming stamp to each deal of pull
6 tabs and bingo cards, punchboard, sports pool board, calcutta board, and series of
7 paddlewheel ticket cards sold and shall purchase the stamps from the attorney
8 general for thirty-five cents each. Ten cents of each stamp sold, up to thirty-six
9 thousand dollars per biennium, must be credited to the attorney general's
10 operating fund to defray the costs of issuing and administering the gaming stamps.

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