

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1003

That the Senate recede from its amendments as printed on pages 1499-1502 of the House Journal and pages 1186-1189 of the Senate Journal and that Engrossed House Bill No. 1003 be amended as follows:

Page 1, line 2, after the first semicolon insert "to provide an appropriation for defraying the expenses of the racing commission;"

Page 1, line 3, after the second semicolon insert "to provide for a salary equity review and recommendation;" and after "amend" insert "and reenact subsection 1 of section 53-06.2-02 and"

Page 1, line 4, after the second "the" insert "membership of the racing commission and the"

Page 2, line 1, replace "860,869" with "926,395"

Page 2, line 2, replace "283,953" with "488,324"

Page 2, line 3, replace "(63,000)" with "(44,200)"

Page 2, remove line 5

Page 2, line 7, replace "1,501,643" with "1,422,945"

Page 2, line 8, replace "(78,717)" with "(515,729)"

Page 2, line 9, replace "1,580,360" with "1,938,674"

Page 2, line 15, replace "19,322,170" with "19,387,696"

Page 2, line 16, replace "8,279,424" with "8,483,795"

Page 2, line 17, replace "1,767,250" with "1,786,050"

Page 2, remove line 21

Page 2, line 24, replace "35,985,334" with "35,906,636"

Page 2, line 25, replace "17,350,757" with "16,913,745"

Page 2, line 26, replace "18,634,577" with "18,992,891"

Page 2, after line 26, insert:

"SECTION 4. APPROPRIATION - RACING COMMISSION. The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, to the racing commission for the purpose of defraying the expenses of the racing commission, for the biennium beginning July 1, 2005, and ending June 30, 2007, as follows:

Racing commission	\$367,145
Total all funds	\$367,145
Less estimated income	249,666
Total general fund appropriation	\$117,479"

Page 3, line 18, replace "3" with "4", replace the first "\$73,945" with "\$73,889", and replace the second "\$73,945" with "\$73,889"

Page 3, line 19, replace "\$73,946" with "\$73,888"

Page 4, line 6, replace "2005" with "2007"

Page 4, line 8, remove "- **COLLABORATION**"

Page 4, line 9, remove "**WITH UNITED STATES DEPARTMENT OF JUSTICE**" and replace "collaborate" with "consider, in consultation"

Page 4, line 10, replace "to determine whether" with ", the feasibility of naming"

Page 4, line 11, remove "should be named"

Page 4, after line 13, insert:

"SECTION 14. SALARY REVIEW AND RECOMMENDATION. During the 2005-06 interim, the director of the office of management and budget shall conduct an equity review of the salaries of all attorneys and paralegals employed as full-time employees with all branches of government within the state of North Dakota, including attorneys and paralegals employed by the state board of higher education and workforce safety and insurance. The director shall provide to the governor for inclusion in the 2007-09 biennial executive budget recommendation the funding necessary to adjust the salaries of attorneys and paralegals in a manner that makes attorney and paralegal salaries comparable and equitable throughout state government. In determining comparable positions based upon years of experience and importance of position, the director shall consult with the attorney general.

SECTION 15. AMENDMENT. Subsection 1 of section 53-06.2-02 of the North Dakota Century Code is amended and reenacted as follows:

1. A North Dakota racing commission is established in the office of the attorney general. The commission is subject to the supervision and direction of the attorney general, except with regard to the commission's authority to spend the funds described in subsection 6 of section 53-06.2-11. The attorney general may require payment for any services rendered to the racing commission. Payment for such services must be deposited into the attorney general's operating fund. The commission consists of the chairman and four other members appointed by the governor. Of the members appointed by the governor, one must be appointed from a list of four nominees, one of whom is nominated by the state chapter or affiliate of the American quarter horse racing association, one of whom is nominated by the state chapter or affiliate of the United States trotting association, one of whom is nominated by the state chapter or affiliate of the international Arabian horse association, and one of whom is nominated by the state chapter or affiliate of the North Dakota thoroughbred association. The members serve five-year terms and until a successor is appointed and qualified. A member appointed to fill a vacancy arising from other than the natural expiration of a term serves ~~only~~ for the

unexpired portion of the term and may be reappointed. The terms of the commissioners must be staggered so that one term expires each July first. At the expiration of the five-year term of each incumbent member of the commission, the governor shall appoint a new member to the commission."

Page 4, line 20, replace "10" with "11"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1003 - Summary of Conference Committee Action

	EXECUTIVE BUDGET	HOUSE VERSION	CONFERENCE COMMITTEE CHANGES	CONFERENCE COMMITTEE VERSION	SENATE VERSION	COMPARISON TO SENATE
Attorney General						
Total all funds	\$36,058,177	\$35,985,334	(\$78,698)	\$35,906,636	\$35,906,636	\$0
Less estimated income	17,788,541	17,350,757	(437,012)	16,913,745	16,783,853	129,892
General fund	\$18,269,636	\$18,634,577	\$358,314	\$18,992,891	\$19,122,783	(\$129,892)
Racing Commission						
Total all funds	\$0	\$0	\$367,145	\$367,145	\$367,145	\$0
Less estimated income			249,666	249,666	249,666	
General fund	\$0	\$0	\$117,479	\$117,479	\$117,479	\$0
Bill Total						
Total all funds	\$36,058,177	\$35,985,334	\$288,447	\$36,273,781	\$36,273,781	\$0
Less estimated income	17,788,541	17,350,757	(187,346)	17,163,411	17,033,519	129,892
General fund	\$18,269,636	\$18,634,577	\$475,793	\$19,110,370	\$19,240,262	(\$129,892)

House Bill No. 1003 - Attorney General - Conference Committee Action

	EXECUTIVE BUDGET	HOUSE VERSION	CONFERENCE COMMITTEE CHANGES	CONFERENCE COMMITTEE VERSION	SENATE VERSION	COMPARISON TO SENATE
Salaries and wages	\$19,400,721	\$19,322,170	\$65,526	\$19,387,696	\$19,387,696	
Operating expenses	8,254,104	8,279,424	204,371	8,483,795	8,483,795	
Capital assets	1,767,250	1,767,250	18,800	1,786,050	1,786,050	
Grants	5,944,056	5,944,056		5,944,056	5,944,056	
Litigation fees	50,000	50,000		50,000	50,000	
State school finance lawsuit	240,000	240,000		240,000	240,000	
Racing Commission	387,007	367,395	(367,395)			
Arrest and return of fugitives	10,000	10,000		10,000	10,000	
Gaming Commission	5,039	5,039		5,039	5,039	
Total all funds	\$36,058,177	\$35,985,334	(\$78,698)	\$35,906,636	\$35,906,636	\$0
Less estimated income	17,788,541	17,350,757	(437,012)	16,913,745	16,783,853	129,892
General fund	\$18,269,636	\$18,634,577	\$358,314	\$18,992,891	\$19,122,783	(\$129,892)
FTE	177.00	175.00	(0.70)	174.30	174.30	0.00

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

	REDUCES RECOMMENDED FUNDING FOR HEALTH INSURANCE	CHANGES FUNDING SOURCE FOR ATTORNEY SALARIES ¹	ADDS FUNDING FOR CRIME LAB FORENSIC SUPPLIES ²	ADDS FUNDING FOR CRIME LAB SERVICE AGREEMENTS ³	ADDS FUNDING FOR CONNECTND FEES ⁴	ADDS FUNDING FOR DNA TESTING FOR FELONS ⁵
Salaries and wages	(\$21,465)					\$86,991
Operating expenses			\$70,853	\$74,552	\$31,078	27,888
Capital assets						18,800
Grants						
Litigation fees						
State school finance lawsuit						
Racing Commission	(250)					
Arrest and return of fugitives						
Gaming Commission						
Total all funds	(\$21,715)	\$0	\$70,853	\$74,552	\$31,078	\$133,679
Less estimated income	(5,400)	(241,024)			31,078	
General fund	(\$16,315)	\$241,024	\$70,853	\$74,552	\$0	\$133,679
FTE	0.00	0.00	0.00	0.00	0.00	1.30

	REMOVES RACING COMMISSION FUNDING ⁶	TOTAL CONFERENCE COMMITTEE CHANGES
Salaries and wages		\$65,526
Operating expenses		204,371
Capital assets		18,800
Grants		
Litigation fees		
State school finance lawsuit		
Racing Commission	(\$367,145)	(367,395)
Arrest and return of fugitives		
Gaming Commission		
Total all funds	(\$367,145)	(\$78,698)
Less estimated income	<u>(221,666)</u>	<u>(437,012)</u>
General fund	(\$145,479)	\$358,314
FTE	(2.00)	(0.70)

¹ The funding source for continuing the cost of salary equity increases for attorneys authorized by the 2003 Legislative Assembly from special funds for the 2003-05 biennium is changed to the general fund for the 2005-07 biennium, the same as the Senate version.

² Funding is added for additional forensic supplies for the crime lab, the same as the Senate version.

³ Funding is added for service agreements on crime lab equipment, the same as the Senate version.

⁴ Funding is added from special funds for 2005-07 ConnectND fees, the same as the Senate version.

⁵ Funding of \$133,679 from the general fund, including 1 FTE administrative assistant and a .3 FTE forensic scientist, is added for costs associated with collecting and processing DNA samples from all convicted felons in accordance with provisions of House Bill No. 1235. The Senate also added this funding.

⁶ Funding for the Racing Commission is removed and provided in a separate appropriation section in accordance with provisions of Senate Bill No. 2340 which removes the Racing Commission from the Attorney General's office. The Senate also made this change.

The section added by the House requiring the Attorney General to collaborate with the federal prosecutors to determine whether North Dakota should be named as a plaintiff in Medicare and Medicaid fraud cases being considered by the federal government is changed to require the Attorney General to consider, in consultation with federal prosecutors, the feasibility of naming North Dakota as a plaintiff in these cases. The Senate also made this change.

A section is added requiring the Office of Management and Budget to conduct a salary equity review of attorneys and paralegals employed by state government and to include a recommendation in the 2007-09 executive budget to provide for comparable and equitable salaries for these employees, the same as the Senate version.

The conference committee added a section allowing a Racing Commission member, appointed to fill a vacancy on the commission, to be reappointed to the commission.

The conference committee removed the following items which were included in the Senate version:

- The Senate added \$100,000 from the general fund and reduced special funds by \$100,000 for crime lab testing supplies.
- The Senate added \$29,892 from the general fund and reduced other funds by \$29,892 to replace a portion of the anticipated reduction in federal funds available for drug enforcement activities of the Bureau of Criminal Investigation and the crime lab.

House Bill No. 1003 - Racing Commission - Conference Committee Action

	EXECUTIVE BUDGET	HOUSE VERSION	CONFERENCE COMMITTEE CHANGES	CONFERENCE COMMITTEE VERSION	SENATE VERSION	COMPARISON TO SENATE
Racing Commission	_____	_____	<u>\$367,145</u>	<u>\$367,145</u>	<u>\$367,145</u>	_____
Total all funds	\$0	\$0	\$367,145	\$367,145	\$367,145	\$0
Less estimated income	_____	_____	<u>249,666</u>	<u>249,666</u>	<u>249,666</u>	_____
General fund	\$0	\$0	\$117,479	\$117,479	\$117,479	\$0
FTE	0.00	0.00	2.00	2.00	2.00	0.00

Dept. 130 - Racing Commission - Detail of Conference Committee Changes

	ADDS SEPARATE APPROPRIATION FOR RACING ¹	CHANGES FUNDING SOURCE ²	TOTAL CONFERENCE COMMITTEE CHANGES
Racing Commission	<u>\$367,145</u>	<u> </u>	<u>\$367,145</u>
Total all funds	\$367,145	\$0	\$367,145
Less estimated income	<u>221,666</u>	<u>28,000</u>	<u>249,666</u>
General fund	\$145,479	(\$28,000)	\$117,479
FTE	2.00	0.00	2.00

¹ A section is added providing an appropriation for the Racing Commission in accordance with provisions of Senate Bill No. 2340 which removes the Racing Commission from the Attorney General's office. The Senate also made this change.

² A funding source change from the general fund to special funds is made to allow expenditure of license fee collections that will be deposited in the Racing Commission operating fund rather than the general fund in accordance with provisions of Senate Bill No. 2344. The Senate also made this change.