

PROPOSED AMENDMENTS TO SENATE BILL NO. 2003

Page 1, line 3, remove the third "and"

Page 1, line 4, replace "section" with "sections 12-60-25,"

Page 1, line 4, after "54-12-11" insert ", and 57-43.1-03.2"

Page 1, line 4, after "to" insert "missing children,"

Page 1, line 5, after "general" insert ", and refunds of tax for fuel purchased by native Americans; to provide an exemption; and to declare an emergency"

Page 2, after line 20, insert:

**"SECTION 4. AMENDMENT.** Section 12-60-25 of the North Dakota Century Code is amended and reenacted as follows:

**12-60-25. Lost, missing, or runaway children.**

The bureau shall:

1. ~~Establish and maintain a statewide file system for the purpose of effecting an immediate law enforcement response to reports of lost, missing, or runaway children.~~
2. Implement a data exchange system to compile, to maintain, and to make available for dissemination to North Dakota and to out-of-state law enforcement agencies, descriptive information that can assist appropriate agencies in recovering lost, missing, or runaway children through the national crime information center.
- ~~3-2.~~ Establish contacts and exchange information regarding lost, missing, or runaway children with the national crime information center.
- ~~4-3.~~ Notify all enforcement agencies that reports of lost, missing, or runaway children must be entered as soon as the minimum level of data specified by the bureau is available to the reporting agency and that no waiting period for entry of such data exists. If the enforcement agency is unable to enter the data, the bureau immediately upon notification shall enter the information into the national crime information center file.
- ~~5-4.~~ Compile and retain information regarding lost, missing, or runaway children ~~in a separate file,~~ in a manner that allows the information to be used by law enforcement and other agencies, considered appropriate by the bureau, for investigative purposes. The reporting law enforcement agency is responsible for maintaining the disposition of the case and ~~periodically shall review the case with the reporting party and the bureau to ensure all available information is included and to determine the current status of the case.~~

- 6-5. Provide prompt confirmation of the receipt and entry of lost, missing, or runaway children reports ~~into the file system~~ to the enforcement agency providing the report or to the parent, guardian, or identified family member as provided in subsection 76.
- 7-6. Allow any parent, guardian, or identified family member to submit a lost, missing, or runaway child report to the bureau which will be ~~included in the bureau file system and~~ transmitted to the national crime information center, if they are unable to receive services from the local law enforcement agency.
- 8-7. Compile and maintain a historical ~~data repository~~information relating to lost, missing, or runaway children for all of the following purposes:
- a. To develop and improve techniques utilized by law enforcement agencies when responding to reports of lost, missing, or runaway children.
  - b. To provide a factual and statistical base for research which would address the problem of lost, missing, or runaway children."

Page 3, after line 10, insert:

**"SECTION 8. AMENDMENT.** Section 57-43.1-03.2 of the North Dakota Century Code is amended and reenacted as follows:

**57-43.1-03.2. Refund of tax for fuel purchased by native Americans - Fuels tax refund reserve fund - Continuing appropriation.**

1. A native American may file a claim with the tax commissioner for a refund of motor vehicle fuel taxes paid by that person under this chapter or special fuel taxes paid under chapter 57-43.2 if the motor vehicle fuel or special fuel was purchased from a retail fuel dealer located on the Indian reservation where the native American is an enrolled member and the fuel was delivered to the native American on that reservation. The refund provisions of this chapter apply to refund claims made under this section.
2. A fuels tax refund reserve fund is created as a special fund in the state treasury. The tax commissioner shall deposit in that fund such amounts from motor vehicle fuel tax and special fuel tax collections as ~~the attorney general determines~~ necessary to be expended for refunds to which native American government entities may be entitled under qualifying circumstances and conditions determined by the attorney general. There is appropriated as a continuing appropriation out of funds set aside under this subsection so much of the funds as ~~the attorney general determines~~ is necessary to meet the expenditures authorized under this subsection and such funds may be expended for that purpose.

**SECTION 9. ATTORNEY GENERAL REFUND FUND TRANSFER TO THE GENERAL FUND - EXEMPTION.** 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, 2011.

**SECTION 10. EMERGENCY.** Section 9 of this Act is declared to be an emergency measure."

Renumber accordingly