

Fifty-sixth
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 provide statements of legislative intent; to amend and reenact section 12-60-16.9,
3 subsection 3 of section 53-06.1-14, and section 54-12-11 of the North Dakota Century Code,
4 relating to criminal history background checks, gaming stamp fees, and the salary of the
5 attorney general; and to declare an 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 hereby appropriated out of any moneys in the general fund in
9 the state treasury, not otherwise appropriated, and from special funds derived from federal
10 funds and other income, to the attorney general for the purpose of defraying the expenses of
11 the attorney general, for the biennium beginning July 1, 1999, and ending June 30, 2001, as
12 follows:

13 Salaries and wages	\$14,034,903
14 Operating expenses	4,772,703
15 Equipment	868,710
16 Grants	5,396,025
17 Litigation fees	50,000
18 Arrest and return of fugitives	10,000
19 Gaming commission	5,109
20 Racing commission	222,067
21 National criminal history improvement project	2,344,118
22 Law enforcement programs	627,280
23 High-intensity drug trafficking area	<u>1,604,175</u>
24 Total all funds	\$29,935,090

1	Less estimated income	<u>15,946,103</u>
2	Total general fund appropriation	\$13,988,987

3 **SECTION 2. FIRE AND TORNADO FUND.** The estimated income line item in
4 section 1 of this Act includes the sum of \$385,517, or so much of the sum as may be
5 necessary, from the state fire and tornado fund, for the purpose of defraying the expenses
6 related to the state fire marshal program.

7 **SECTION 3. LEGISLATIVE INTENT - STATE FIRE MARSHAL PROGRAM.** It is the
8 intent of the legislative assembly that the attorney general charge and collect a fee for services
9 provided by the state fire marshal program to entities insured by the fire and tornado fund. For
10 services provided to entities not insured by the fire and tornado fund, the attorney general is to
11 prepare and submit a memorandum billing to the entity receiving the service. For the purpose
12 of this section a "memorandum billing" means a document detailing services and cost of
13 services provided. The memorandum billing does not require a remittance of funds.

14 **SECTION 4. ASSET FORFEITURE FUND.** The sum of \$74,201 is available from the
15 asset forfeiture fund to the attorney general as included in the estimated income line item in
16 section 1 of this Act.

17 **SECTION 5. LOCAL GAMING ENFORCEMENT GRANTS.** The grants line item in
18 section 1 of this Act includes \$221,877 for local gaming enforcement grants.

19 **SECTION 6. LEGISLATIVE INTENT - LOCAL GAMING ENFORCEMENT GRANTS.**
20 It is the intent of the legislative assembly that the attorney general, through the state treasurer's
21 office, disburse local gaming enforcement grants based on a competitive basis in accordance
22 with criteria established by the attorney general.

23 **SECTION 7. LEGISLATIVE INTENT - LITIGATION FEES - EMERGENCY**
24 **COMMISSION REQUEST.** It is the intent of the legislative assembly that the attorney general
25 submit a request to the emergency commission for an additional appropriation for litigation fees
26 from the contingency fund if the \$50,000 appropriated in the litigation fees line item in section 1
27 of this Act is exhausted.

28 **SECTION 8. LEGISLATIVE INTENT - ARREST AND RETURN OF FUGITIVES -**
29 **EMERGENCY COMMISSION REQUEST.** It is the intent of the fifty-sixth legislative assembly
30 that the attorney general submit a request to the emergency commission for additional
31 appropriation authority from the state contingencies appropriation for reimbursing counties for

1 costs relating to the arrest and return of fugitives if the funding provided for this purpose in
2 section 1 of this Act is not adequate for the biennium beginning July 1, 1999, and ending
3 June 30, 2001.

4 **SECTION 9. AMENDMENT.** Section 12-60-16.9 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **12-60-16.9. Criminal history record information - Fee for record check.** The
7 bureau shall impose a fee of twenty dollars for a record check conducted for a noncriminal
8 justice agency that is not also a court. Funds collected from this fee must be deposited in the
9 attorney general's operating fund.

10 **SECTION 10. AMENDMENT.** Subsection 3 of section 53-06.1-14 of the 1997
11 Supplement to the North Dakota Century Code is amended and reenacted as follows:

12 3. A licensed distributor shall affix a North Dakota gaming stamp to each deal of pull
13 tabs and bingo cards, punchboard, sports pool board, calcutta board, and series of
14 paddlewheel ticket cards sold and shall purchase the stamps from the attorney
15 general for ~~twenty-five~~ thirty-five cents each. Ten cents of each stamp sold, up to
16 thirty-six thousand dollars per biennium, must be credited to the attorney general's
17 operating fund to defray the costs of issuing the gaming stamps.

18 **SECTION 11. AMENDMENT.** Section 54-12-11 of the 1997 Supplement to the North
19 Dakota Century Code is amended and reenacted as follows:

20 **54-12-11. Salary of attorney general.** The annual salary of the attorney general is
21 ~~sixty-two~~ sixty-five thousand ~~five~~ seven hundred ~~ninety-two~~ fifty-three dollars through June 30,
22 ~~1998~~ 2000, ~~sixty-seven~~ sixty-eight dollars through December 31, 2000, and ~~sixty-four~~
23 sixty-nine thousand ~~four hundred sixty-four~~ two dollars thereafter.

24 **SECTION 12. EMERGENCY.** The high-intensity drug trafficking area line item in
25 section 1 of this Act is declared to be an emergency measure.