

COMMITTEE ON APPROPRIATIONS
SENATE AMENDMENTS TO S.B. 1001
(Reference to printed bill)

1 Page 1, between lines 14 and 15, insert:

2 "Sec. 2. Laws 2008, chapter 285, section 14 is amended to read:

3 Sec. 14. DEPARTMENT OF PUBLIC SAFETY

	<u>2008-09</u>
4	
5 FTE positions	2,114.8
6 Operating lump sum appropriation	\$191,253,100
7 GIITEM	31,799,700
8 Motor vehicle fuel	3,935,500
9 Sworn officer salary adjustments	<u>1,274,100</u>

10 Total appropriation - department of public
11 safety \$228,262,400

12 Fund sources:

13 State general fund	\$ 59,121,500
14 Highway user revenue fund	84,949,500
15 State highway fund	41,050,500
16 Arizona highway patrol fund	21,620,000
17 Criminal justice enhancement fund	3,290,300
18 Safety enforcement and transportation 19 infrastructure fund	1,564,100
20 Crime laboratory assessment fund	5,844,600
21 Arizona deoxyribonucleic acid 22 identification system fund	3,623,200
23 Automated fingerprint identification 24 system fund	3,299,200
25 Motorcycle safety fund	205,000

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1	Risk management fund	296,200
2	Parity compensation fund	3,398,300
3	Performance measures:	
4	Per cent of scientific analysis cases over	
5	30 calendar days old	3.0
6	Per cent of system reliability of the Arizona	
7	automated fingerprint identification network	98
8	Clandestine labs dismantled	50

9 Of the \$31,799,700 appropriated to GIITEM, \$10,000,000 is to be used
10 for the multijurisdictional task force known as the gang and immigration
11 intelligence team enforcement mission (GIITEM). If the department of public
12 safety uses any of the monies appropriated for GIITEM for an agreement or
13 contract with a city, town, county or other entity to provide services for
14 the GIITEM program, the city, town, county or other entity shall provide not
15 less than 15 per cent of the cost of the services and the department of
16 public safety shall provide not more than 85 per cent of the cost for each
17 agreement or contract. The distribution of these monies are contingent on
18 the department of public safety entering into a 287 memorandum of
19 understanding with the United States department of homeland security. The
20 \$10,000,000 is to be used for functions relating to immigration enforcement,
21 including border security and border personnel. As state and local law
22 enforcement officers trained pursuant to a 287 memorandum of understanding come
23 into contact with gang or suspected gang members and there is reason to believe
24 that the individual has entered or remained in the United States illegally, the
25 use of these monies is contingent on law enforcement agencies verifying the
26 immigration status of these individuals and taking appropriate action that will
27 not jeopardize an ongoing investigation or damage an informant relationship
28 with a law enforcement agency. The \$10,000,000 is exempt from the provisions
29 of section 35-190, Arizona Revised Statutes, relating to the lapsing of
30 appropriations, except that all unexpended and unencumbered monies shall revert
31 on June 30, 2009. The department shall submit an expenditure plan to the joint
32 legislative budget committee for review before expending any monies not

1 identified in the department's previous expenditure plans. Within thirty days
2 after the last day of each calendar quarter, the department shall provide a
3 summary of quarterly and year-to-date expenditures and progress to the joint
4 legislative budget committee. OF THIS \$10,000,000:

5 1. \$1,600,000 IS ALLOCATED TO THE SHERIFF'S OFFICE OF A COUNTY WITH A
6 POPULATION OF MORE THAN TWO MILLION PERSONS FOR HUMAN SMUGGLING AND
7 IMMIGRATION ENFORCEMENT. THE SHERIFF MAY CONTRACT WITH THE COUNTY ATTORNEY
8 FOR IMMIGRATION ENFORCEMENT AND PROSECUTION PURPOSES. IT IS THE INTENT OF
9 THE LEGISLATURE THAT THE ALLOCATION OF THESE MONIES INCLUDE FUNDING FOR
10 IMMIGRATION ENFORCEMENT AND TRANSPORTATION AS DISCUSSED AND REVIEWED BY THE
11 JOINT LEGISLATIVE BUDGET COMMITTEE AT ITS OCTOBER 2007 MEETING.

12 2. \$1,600,000 IS ALLOCATED TO THE DEPARTMENT OF PUBLIC SAFETY FOR THE
13 VIOLENT FELONY AND FUGITIVE TASK FORCE ESTABLISHED IN EXECUTIVE ORDER 2008-22
14 FOR THE ACTIVITIES OF THE TASK FORCE. THIS TASK FORCE IS TO FUNCTION AS A
15 PART OF GIITEM AS A MULTIJURISDICTIONAL STATEWIDE TASK FORCE. THE
16 EXPENDITURE PLAN FOR THESE MONIES IS SUBJECT TO REVIEW BY THE JOINT
17 LEGISLATIVE BUDGET COMMITTEE BEFORE EXPENDITURE.

18 Of the \$31,799,700 appropriated to GIITEM, \$10,045,900 is to be used
19 for one hundred department of public safety GIITEM personnel located anywhere
20 in this state. The additional staff shall include at least fifty sworn
21 department of public safety positions to be used for immigration enforcement
22 and border security and up to fifty department of public safety positions to
23 expand GIITEM's public awareness, investigation and intelligence efforts.
24 The additional positions would assist GIITEM in various efforts, including
25 arresting illegal aliens, responding to and investigating complaints of
26 employers hiring illegal aliens, investigating crimes of identity theft in
27 the context of hiring illegal aliens and the unlawful entry into the country
28 and taking enforcement action, as permitted under federal law and article VI
29 of the U.S. Constitution. As state and local law enforcement officers trained
30 pursuant to a 287 memorandum of understanding come into contact with gang or
31 suspected gang members and there is reason to believe that the individual has
32 entered or remained in the United States illegally, the use of these monies is

1 contingent on law enforcement agencies verifying the immigration status of
2 these individuals and taking appropriate action that will not jeopardize an
3 ongoing investigation or damage an informant relationship with a law
4 enforcement agency. The department shall submit an expenditure plan to the
5 joint legislative budget committee for review before expending any monies not
6 identified in the department's previous expenditure plans. Within thirty
7 days after the last day of each calendar quarter, the department shall
8 provide a summary of quarterly and year-to-date expenditures and progress to
9 the joint legislative budget committee.

10 It is the intent of the legislature that in fiscal year 2009-2010 the
11 remaining \$1,274,100 will be appropriated for sworn officer pay to complete
12 the five-year officer pay plan.

13 The operating lump sum appropriation includes a lump sum reduction of
14 \$(1,200,000). This reduction shall not be taken against any monies
15 appropriated to GIITEM or sworn officers.

16 Any monies remaining in the department of public safety joint account
17 on June 30, 2009 shall revert to the funds from which they were appropriated.
18 The reverted monies shall be returned in direct proportion to the amounts
19 appropriated."

20 Renumber to conform

21 Page 1, line 22, strike "\$21.656,100" insert "\$21,656,100"

22 Between lines 26 and 27, insert:

23 "The attorney general shall report by April 1, 2009 estimated fiscal
24 year 2008-2009 revenues and expenditures for the legal services cost
25 allocation fund to the governor's office of strategic planning and budgeting
26 and the joint legislative budget committee staff. These two offices shall
27 jointly determine whether any shortfall exists in fund revenues in comparison
28 to ninety per cent of the attorney general's appropriation. If the two
29 offices report a shortfall to the governor, the speaker of the house of
30 representatives and the president of the senate by May 1, 2009, any lump sum
31 reduction for fiscal year 2008-2009 enacted for the attorney general's budget

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1 after January 1, 2009 shall be adjusted downward by the amount of the
2 shortfall."
3 Page 1, line 40, strike "\$109,800" insert "\$50,000"
4 Page 2, strike line 1
5 Renumber to conform
6 Line 2, strike "\$35,694,400" insert "\$35,444,400"
7 Strike lines 15 and 16
8 Renumber to conform
9 Line 29, strike "\$6,548,100" insert "\$6,948,100"
10 Strike line 37
11 Renumber to conform
12 Line 41, strike "\$138,618,300" insert "\$134,714,200"
13 Line 44, strike "\$138,618,300" insert "\$134,714,200"
14 Page 3, line 6, before "Notwithstanding" insert "A."; strike "February 28" insert
15 "June 30"
16 Line 23, strike "\$204,200" insert "\$258,600"
17 Strike lines 29 and 30
18 Renumber to conform
19 Strike lines 37 and 38
20 Renumber to conform
21 Page 4, strike lines 4, 5 and 6
22 Renumber to conform
23 Line 9, strike "\$263,600" insert "\$131,800"
24 Page 6, line 12, strike "\$3,000,000" insert "\$4,000,000"
25 Line 14, strike "\$1,105,300" insert "\$1,305,300"
26 Strike lines 23 and 24
27 Renumber to conform
28 Strike lines 31 and 32
29 Renumber to conform
30 Strike lines 35 and 36
31 Renumber to conform
32 Strike line 43

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1 Page 6, line 44, strike "\$1,021,100" insert "\$685,400"

2 Page 7, strike line 1

3 Between lines 3 and 4, insert:

4 "Sex offender monitoring fund - \$50,000.

5 Highway patrol fund - \$1,490,800."

6 Line 5, strike "\$150,300" insert "\$204,700"

7 Line 6, strike "\$165,100" insert "\$215,100"

8 Line 16, strike "\$2,290,000" insert "\$1,616,000"

9 Line 17, strike "\$990,000" insert "\$582,200"

10 Strike lines 18 and 19

11 Renumber to conform

12 Strike lines 26 through 39

13 Renumber to conform

14 Page 8, between lines 8 and 9, insert:

15 "B. Agencies listed shall reduce expenditures from the listed funds
16 accordingly in order to ensure a sufficient fund balance for these fund
17 transfers.

18 C. The fund transfers in this section shall be made as soon as is
19 practicable to avoid a shortfall in each fund. On or before March 15, 2009,
20 the governor's office of strategic planning and budgeting shall report to the
21 joint legislative budget committee on any fund transfers that have not been
22 fully made as of February 28, 2009. For each fund transfer not fully made as
23 of March 1, 2009, the report shall list when the fund transfer will be
24 completed or additional steps required to make the full fund transfer."

25 Line 11, before "Notwithstanding" insert "A."; strike "on or before February 28,
26 2009,"

27 Line 12, after "and" insert ", on or before June 30, 2009,"

28 Strike lines 14 and 15

29 Renumber to conform

30 Strike line 30

31 Strike lines 34 and 35

32 Renumber to conform

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1 Page 8, strike lines 40 through 43

2 Renumber to conform

3 Page 9, strike lines 7, 8 and 9

4 Renumber to conform

5 Strike lines 18 and 19

6 Renumber to conform

7 Strike lines 24 and 25

8 Renumber to conform

9 Page 11, strike lines 3 through 10

10 Renumber to conform

11 Strike lines 19 through 22

12 Renumber to conform

13 Strike line 26

14 Line 29, strike "\$283,900" insert "\$175,400"

15 Strike lines 30, 31 and 32

16 Renumber to conform

17 Strike lines 42 through 45

18 Page 12, strike lines 1 through 10

19 Renumber to conform

20 Between lines 22 and 23, insert:

21 "B. The fund transfers in this section shall be made as soon as is
22 practicable to avoid a shortfall in each fund. On or before March 15, 2009,
23 the governor's office of strategic planning and budgeting shall report to the
24 joint legislative budget committee on any fund transfers that have not been
25 fully made as of February 28, 2009. For each fund transfer not fully made as
26 of March 1, 2009, the report shall list when the fund transfer will be
27 completed or additional steps required to make the full fund transfer."

28 Strike line 43

29 Renumber to conform

30 Page 13, strike line 3

31 Renumber to conform

32 Strike line 11

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- 1 Page 13, line 38, strike "\$18,967,700" insert "\$12,438,600"
- 2 Page 14, line 7, strike "\$287,718,400" insert "\$359,648,000"
- 3 Line 8, strike "\$64,582,500" insert "\$59,623,900"
- 4 Line 9, strike "\$47,699,100" insert "\$80,728,100"
- 5 Line 13, strike "\$287,718,400" insert "\$359,648,000"
- 6 Line 14, strike "\$64,582,500" insert "\$59,623,900"
- 7 Line 15, strike "\$47,699,100" insert "\$80,728,100"
- 8 Line 21, strike "\$6,324,000" insert "\$6,549,900"
- 9 Line 23, strike "\$12,000,000" insert "\$9,000,000"
- 10 Line 34, strike "\$22,500,000" insert "\$15,000,000"
- 11 Page 16, between lines 28 and 29, insert:
- 12 "Sec. 23. Supplemental appropriation; governor's office of
- 13 strategic planning and budgeting
- 14 In addition to the appropriation made by Laws 2007, chapter 255,
- 15 section 44, the sum of \$250,000 is appropriated from the state general fund
- 16 in fiscal year 2008-2009 to the governor's office of strategic planning and
- 17 budgeting."
- 18 Renumber to conform
- 19 Page 17, strike lines 21 through 33
- 20 Amend title to conform

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01/29/2009
1:30 PM
C: mjh