

GRAY C FLOOR AMENDMENT
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

Senate Amendments to S.B. 1001

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~~ 2010. The department shall submit an expenditure plan to the
32 joint 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.

7 2. \$1,600,000 IS ALLOCATED TO THE DEPARTMENT OF PUBLIC SAFETY FOR THE
8 VIOLENT FELONY AND FUGITIVE TASK FORCE ESTABLISHED IN EXECUTIVE ORDER 2008-22
9 FOR THE ACTIVITIES OF THE TASK FORCE. THIS TASK FORCE IS TO FUNCTION AS A
10 PART OF GIITEM AS A MULTI JURISDICTIONAL STATEWIDE TASK FORCE. THE
11 EXPENDITURE PLAN FOR THESE MONIES IS SUBJECT TO REVIEW BY THE JOINT
12 LEGISLATIVE BUDGET COMMITTEE BEFORE EXPENDITURE.

13 Of the \$31,799,700 appropriated to GIITEM, \$10,045,900 is to be used
14 for one hundred department of public safety GIITEM personnel located anywhere
15 in this state. The additional staff shall include at least fifty sworn
16 department of public safety positions to be used for immigration enforcement
17 and border security and up to fifty department of public safety positions to
18 expand GIITEM's public awareness, investigation and intelligence efforts.
19 The additional positions would assist GIITEM in various efforts, including
20 arresting illegal aliens, responding to and investigating complaints of
21 employers hiring illegal aliens, investigating crimes of identity theft in
22 the context of hiring illegal aliens and the unlawful entry into the country
23 and taking enforcement action, as permitted under federal law and article VI
24 of the U.S. Constitution. As state and local law enforcement officers trained
25 pursuant to a 287 memorandum of understanding come into contact with gang or
26 suspected gang members and there is reason to believe that the individual has
27 entered or remained in the United States illegally, the use of these monies is
28 contingent on law enforcement agencies verifying the immigration status of
29 these individuals and taking appropriate action that will not jeopardize an
30 ongoing investigation or damage an informant relationship with a law
31 enforcement agency. The department shall submit an expenditure plan to the
32 joint legislative budget committee for review before expending any monies not

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

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

8 The operating lump sum appropriation includes a lump sum reduction of
9 \$(1,200,000). This reduction shall not be taken against any monies
10 appropriated to GIITEM or sworn officers.

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

15 Renumber to conform

16 Page 1, line 22, strike "\$21,656,100" insert "\$24,931,100"

17 Line 23, strike "\$23,173,100" insert "\$29,497,100"

18 Line 26, strike "\$2,299,400" insert "\$2,000,000"

19 Between lines 26 and 27, insert:

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

31 Line 33, strike "\$1,653,700" insert "\$738,000"

32 Line 34, strike "\$91,408,500" insert "\$83,301,400"

Senate Amendments to S.B. 1001

- 1 Page 1, strike line 38
- 2 Renumber to conform
- 3 Line 40, strike "\$109,800" insert "\$50,000"
- 4 Line 44, strike "\$1,933,600" insert "\$2,193,900"
- 5 Page 2, line 2, strike "\$35,694,400" insert "\$26,157,500"
- 6 Strike line 15
- 7 Renumber to conform
- 8 Line 16, strike "\$287,700" insert "\$143,000"
- 9 Strike line 28
- 10 Renumber to conform
- 11 Line 29, strike "\$6,548,100" insert "\$6,948,100"
- 12 Line 35, strike "\$250,100" insert "\$150,000"
- 13 Strike line 37
- 14 Renumber to conform
- 15 Strike line 40
- 16 Renumber to conform
- 17 Line 41, strike "\$138,618,300" insert "\$141,500,000"
- 18 Line 44, strike "\$138,618,300" insert "\$141,500,000"
- 19 Page 3, line 6, before "Notwithstanding" insert "A."; strike "February 28" insert
- 20 "June 30"
- 21 Line 23, strike "\$204,200" insert "\$258,600"
- 22 Between lines 26 and 27, insert:
- 23 " AHCCCS fund 2120 - \$1,963,300"
- 24 Strike lines 29 and 30
- 25 Renumber to conform
- 26 Line 32, strike "\$5,000,000" insert "\$5,347,700"
- 27 Strike lines 37 and 38
- 28 Renumber to conform
- 29 Page 4, line 2, strike "\$20,779,200" insert "\$21,279,200"
- 30 Strike lines 4, 5 and 6
- 31 Renumber to conform
- 32 Line 9, strike "\$263,600" insert "\$239,200"

Senate Amendments to S.B. 1001

1 Page 4, line 11, strike "\$537,000" insert "\$567,900"
2 Line 12, strike "\$233,600" insert "\$357,700"
3 Line 13, strike "\$195,000" insert "\$891,100"
4 Line 35, strike "\$4,818,400" insert "\$6,931,500"
5 Line 36, strike "\$2,800,000" insert "\$5,600,000"
6 Between lines 36 and 37, insert:
7 "Greenfields program fund - \$165,000"
8 Between lines 42 and 43, insert:
9 "Water quality assurance revolving fund - \$8,900,000"
10 "Water quality fee fund - \$500,000"
11 Page 5, line 9, strike "\$1,550,000" insert "\$529,000"
12 Between lines 9 and 10, insert:
13 "IGA and ISA fund - \$154,100."
14 Strike lines 21, 22 and 23
15 Renumber to conform
16 Line 29, strike "administrative" insert "special"
17 Line 42, strike "\$1,050,600" insert "\$168,600"
18 Line 43, strike "\$2,665,000" insert "\$416,900"
19 Page 6, line 12, strike "\$3,000,000" insert "\$4,000,000"
20 Line 14, strike "\$1,105,300" insert "\$1,305,300"
21 Strike lines 23 and 24
22 Renumber to conform
23 Between lines 27 and 28 insert:
24 "Law enforcement and boating safety fund - \$500,000"
25 Line 30, strike "\$4,077,000" insert "\$4,664,000"
26 Strike lines 31 and 32
27 Renumber to conform
28 Strike lines 35 and 36
29 Renumber to conform
30 Strike line 43
31 Line 44, strike "\$1,021,100" insert "\$685,400"

1 Page 7, strike line 1

2 Between lines 3 and 4, insert:

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

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

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

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

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

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

9 Strike lines 18 and 19, insert:

10 "44. Office of tourism:

11 Tourism fund - \$200,000"

12 Renumber to conform

13 Strike lines 26 through 39

14 Renumber to conform

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

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

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

26 Line 11, before "Notwithstanding" insert "A."; strike "on or before February 28,
27 2009,"

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

29 Strike lines 14 and 15

30 Renumber to conform

31 Strike line 30

Senate Amendments to S.B. 1001

1 Page 8, strike lines 34 through 37

2 Renumber to conform

3 Strike lines 40 through 43

4 Renumber to conform

5 Page 9, strike lines 7, 8 and 9

6 Renumber to conform

7 Line 14, after the period insert "State"

8 Strike lines 18 and 19

9 Renumber to conform

10 Line 23, strike the second "fund"

11 Strike lines 24 and 25

12 Renumber to conform

13 Page 10, line 24, strike "administrative" insert "special"

14 Strike lines 32 and 33

15 Page 11, strike lines 3 through 10

16 Renumber to conform

17 Strike lines 19 through 22

18 Renumber to conform

19 Strike line 26

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

21 Strike lines 30, 31 and 32

22 Renumber to conform

23 Strike lines 42 through 45

24 Page 12, strike lines 1 through 10

25 Renumber to conform

26 Between lines 22 and 23, insert:

27 "B. The fund transfers in this section shall be made as soon as is
28 practicable to avoid a shortfall in each fund. On or before March 15, 2009,
29 the governor's office of strategic planning and budgeting shall report to the
30 joint legislative budget committee on any fund transfers that have not been
31 fully made as of February 28, 2009. For each fund transfer not fully made as

1 of March 1, 2009, the report shall list when the fund transfer will be
2 completed or additional steps required to make the full fund transfer."

3 Page 12, strike line 33

4 Renumber to conform

5 Strike line 43

6 Renumber to conform

7 Page 13, strike line 11

8 Strike line 27

9 Renumber to conform

10 Strike line 32

11 Renumber to conform

12 Line 38, strike "\$18,967,700" insert "\$10,854,200"

13 Page 14, line 7, strike "\$287,718,400" insert "\$359,648,000"

14 Line 8, strike "\$64,582,500" insert "\$59,623,900"

15 Line 9, strike "\$47,699,100" insert "\$80,728,100"

16 Line 13, strike "\$287,718,400" insert "\$359,648,000"

17 Line 14, strike "\$64,582,500" insert "\$59,623,900"

18 Line 15, strike "\$47,699,100" insert "\$80,728,100"

19 Line 20, strike "healthcare" insert "health care"; strike "\$3,392,000" insert
20 "\$117,000"

21 Line 21, strike "\$6,324,000" insert "\$225,900"

22 Line 23, strike "\$12,000,000" insert "\$9,000,000"

23 Between lines 23 and 24, insert:

24 "The community college reduction includes a reduction of \$7,257,400 for
25 operating state aid and a reduction of \$1,742,600 for equalization aid. The
26 reductions in operating state aid and equalization aid shall be allocated
27 among the individual community colleges on a pro rata basis based on the
28 proportion of formula funding that each college would receive under full
29 formula funding for fiscal year 2008-2009."

30 Between lines 24 and 25, insert:

31 "For the purposes of the legislature's lump sum reduction to the
32 department of economic security, the department shall not reduce or eliminate

1 the autism treatment line items of \$2,300,000. These services are a part of
2 a three-year pilot program that shall not extend beyond fiscal year
3 2009-2010."

4 Page 14, strike line 28

5 Line 31, before "Notwithstanding" insert "A."

6 Between lines 34 and 35, insert:

7 "B. Any remaining monies in the Arizona twenty-first century
8 competitive initiative fund revert to the state general fund on the effective
9 date of this act."

10 Page 15, line 14, after the second "the" insert "Arizona"

11 Line 27, after "from" insert "the"

12 Page 16, between lines 9 and 10, insert:

13 "Sec. 19. Supplemental appropriation; Arizona department of
14 environmental quality

15 In addition to the appropriation made by Laws 2007, chapter 255,
16 section 31, the sum of \$588,300 is appropriated from the air quality fund in
17 fiscal year 2008-2009 to the Arizona department of environmental quality to
18 offset a state general fund reduction to the hazardous waste program."

19 Renumber to conform

20 Between lines 28 and 29, insert:

21 "Sec. 24. Supplemental appropriation; governor's office of
22 strategic planning and budgeting

23 In addition to the appropriation made by Laws 2007, chapter 255,
24 section 44, the sum of \$250,000 is appropriated from the state general fund
25 in fiscal year 2008-2009 to the governor's office of strategic planning and
26 budgeting."

27 Renumber to conform

28 Page 17, strike lines 22 through 33, insert:

29 "A. Notwithstanding any other law, in fiscal year 2008-2009 a budget
30 unit may request a cash transfer between its own funds from the state
31 comptroller to comply with a reduction or transfer required by this act.

1 B. Monies transferred pursuant to subsection A shall not be
2 transferred to or from a budget unit's general fund appropriation.

3 C. Before transferring any monies pursuant to subsection A, the
4 transfer must be reviewed by the joint legislative budget committee.

5 D. The state comptroller shall coordinate all activity with the
6 governor's office of strategic planning and budgeting and shall notify the
7 joint legislative budget committee staff of any cash transfers pursuant to
8 this section. The state comptroller shall file a final report on all
9 activities under this section with the joint legislative budget committee
10 staff and the governor's office of strategic planning and budgeting no later
11 than August 1, 2009."

12 Amend title to conform

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