

JONES SUBSTITUTE FLOOR AMENDMENT

HOUSE OF REPRESENTATIVES AMENDMENTS TO S.B. 1406

I move the following SUBSTITUTE amendment to the APPROPRIATIONS Committee
Amendment to
SENATE BILL 1406 (Reference to Senate engrossed bill)

1 Page 1, line 4, after "requirements" insert "; joint border security advisory
2 committee; trust fund"

3 Line 5, before "THE" insert "A."

4 Line 7, after "PRIVATE" insert ", STATE OR FEDERAL"; strike "LANDOWNERS CONSENT"
5 insert "PERMITTED"

6 Line 14, after "ORGANIZATION" insert "":
7 (a)"

8 Strike lines 16 and 17, insert:

9 "(b) TO ADMINISTER ANY MONIES OBTAINED FOR THE CONSTRUCTION AND
10 MAINTENANCE OF THE BORDER FENCE."

11 Renumber to conform

12 Line 19, after "PRIVATE" insert "OR PUBLIC"

13 Line 20, after "SOURCE" insert "AND THAT IS ADMINISTERED BY THE ORGANIZATION
14 ESTABLISHED PURSUANT TO PARAGRAPH 3 OF THIS SUBSECTION"

15 After line 25, insert:

16 "B. IF THIS STATE DOES NOT ENTER INTO THE COMPACT AUTHORIZED BY
17 SUBSECTION A OF THIS SECTION, THIS STATE MAY STILL CONSTRUCT AND MAINTAIN A
18 SECURE FENCE ALONG THE ARIZONA-MEXICO BORDER LINE THAT IS LOCATED ON PRIVATE,
19 STATE OR FEDERAL PROPERTY IF PERMITTED. SUBSECTION A, PARAGRAPHS 4, 5 AND 6
20 OF THIS SECTION APPLY TO THE BORDER FENCE.

21 C. THE JOINT BORDER SECURITY ADVISORY COMMITTEE IS ESTABLISHED
22 CONSISTING OF THE FOLLOWING MEMBERS:

23 1. THE PRESIDENT OF THE SENATE OR THE PRESIDENT'S DESIGNEE AS A
24 NONVOTING MEMBER.

25 2. THE SPEAKER OF THE HOUSE OF REPRESENTATIVES OR THE SPEAKER'S
26 DESIGNEE AS A NONVOTING MEMBER.

27 3. TWO MEMBERS OF THE HOUSE OF REPRESENTATIVES WHO ARE APPOINTED BY
28 THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AS NONVOTING MEMBERS.

29 4. TWO MEMBERS OF THE SENATE WHO ARE APPOINTED BY THE PRESIDENT OF THE
30 SENATE AS NONVOTING MEMBERS.

1 5. SIX MEMBERS WHO ARE APPOINTED BY THE GOVERNOR.

2 6. A COUNTY SHERIFF FROM A COUNTY THAT HAS A POPULATION OF MORE THAN
3 THREE MILLION PERSONS.

4 7. A COUNTY SHERIFF FROM A COUNTY THAT HAS A POPULATION OF MORE THAN
5 THREE HUNDRED THOUSAND PERSONS BUT LESS THAN SIX HUNDRED THOUSAND PERSONS.

6 8. A COUNTY SHERIFF FROM A COUNTY THAT IS LOCATED ALONG THE
7 ARIZONA-MEXICO BORDER AND THAT HAS A POPULATION OF MORE THAN ONE HUNDRED
8 THOUSAND PERSONS BUT LESS THAN ONE HUNDRED FIFTY THOUSAND PERSONS.

9 9. A COUNTY SHERIFF FROM A COUNTY THAT IS LOCATED ALONG THE
10 ARIZONA-MEXICO BORDER AND THAT HAS A POPULATION OF AT LEAST ONE HUNDRED FIFTY
11 THOUSAND PERSONS BUT LESS THAN SIX HUNDRED THOUSAND PERSONS.

12 D. COMMITTEE MEMBERS ARE NOT ELIGIBLE TO RECEIVE COMPENSATION FOR
13 COMMITTEE ACTIVITIES BUT MAY BE ELIGIBLE FOR REIMBURSEMENT OF EXPENSES
14 PURSUANT TO TITLE 38, CHAPTER 4, ARTICLE 2.

15 E. THE PRESIDENT AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES SHALL
16 EACH APPOINT A COCHAIRPERSON OF THE COMMITTEE.

17 F. THE COMMITTEE SHALL MEET ON THE CALL OF THE TWO COCHAIRPERSONS, BUT
18 NO MORE FREQUENTLY THAN MONTHLY.

19 G. THE COMMITTEE MAY:

20 1. TAKE TESTIMONY AND OTHER EVIDENCE REGARDING THE INTERNATIONAL
21 BORDER WITH MEXICO.

22 2. ANALYZE BORDER CROSSING STATISTICS.

23 3. ANALYZE RELATED CRIME STATISTICS.

24 4. MAKE RECOMMENDATIONS DESIGNED TO INCREASE BORDER SECURITY.

25 5. ADMINISTER AND MANAGE THE CONSTRUCTION AND MAINTENANCE OF THE
26 BORDER FENCE.

27 6. MAKE OTHER RECOMMENDATIONS DEEMED ESSENTIAL BY THE COMMITTEE.

28 H. THE COMMITTEE MAY USE THE SERVICES OF LEGISLATIVE STAFF AS
29 REQUIRED.

30 I. BEGINNING NOVEMBER 30, 2011 AND EACH MONTH THEREAFTER, THE
31 COMMITTEE SHALL SUBMIT A WRITTEN REPORT OF ITS FINDINGS AND RECOMMENDATIONS
32 TO THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, THE PRESIDENT OF THE SENATE
33 AND THE GOVERNOR. THE COMMITTEE SHALL PROVIDE A COPY OF THE REPORT TO THE
34 SECRETARY OF STATE.

35 J. NOTWITHSTANDING ANY LAW TO THE CONTRARY, THE COMMITTEE MAY VOTE TO
36 GO INTO EXECUTIVE SESSION TO TAKE TESTIMONY OR EVIDENCE IT CONSIDERS
37 SENSITIVE OR CONFIDENTIAL IN NATURE, WHICH IF RELEASED COULD COMPROMISE THE

1 SECURITY OR SAFETY OF LAW ENFORCEMENT OR MILITARY PERSONNEL OR A LAW
2 ENFORCEMENT OR NATIONAL GUARD LAW ENFORCEMENT SUPPORT OPERATION.

3 K. THE BORDER SECURITY TRUST FUND IS ESTABLISHED CONSISTING OF MONIES
4 COLLECTED PURSUANT TO THIS SECTION. THE STATE TREASURER SHALL ADMINISTER THE
5 TRUST FUND AS TRUSTEE FOR THE PURPOSES OF THE COMPACT ENTERED INTO PURSUANT
6 TO SUBSECTION A OF THIS SECTION OR FOR THE PURPOSES OF SUBSECTION B OF THIS
7 SECTION. THE COMPACT ENTERED INTO PURSUANT TO SUBSECTION A OF THIS SECTION
8 OR THE BORDER FENCE PURSUANT TO SUBSECTION B OF THIS SECTION IS THE
9 BENEFICIARY OF THE TRUST FUND. ALL MONIES IN THE TRUST FUND SHALL BE USED
10 EXCLUSIVELY TO CARRY OUT THE PURPOSES OF THIS SECTION. THE STATE TREASURER
11 SHALL ACCEPT, SEPARATELY ACCOUNT FOR AND HOLD IN TRUST ANY MONIES DEPOSITED
12 IN THE STATE TREASURY, WHICH ARE CONSIDERED TO BE TRUST MONIES AS DEFINED IN
13 SECTION 35-310 AND WHICH SHALL NOT BE COMMINGLED WITH ANY OTHER MONIES IN THE
14 STATE TREASURY EXCEPT FOR INVESTMENT PURPOSES. THE STATE TREASURER SHALL
15 INVEST AND DIVEST ANY TRUST FUND MONIES DEPOSITED IN THE STATE TREASURY AS
16 PROVIDED BY SECTIONS 35-313 AND 35-314.03, AND MONIES EARNED FROM INVESTMENT
17 SHALL BE CREDITED TO THE TRUST FUND. MONIES IN THE TRUST FUND ARE SUBJECT TO
18 LEGISLATIVE APPROPRIATION AND ARE EXEMPT FROM THE PROVISIONS OF SECTION
19 35-190 RELATING TO LAPSING OF APPROPRIATIONS.

20 Sec. 2. Repeal

21 Laws 2010, chapter 211, section 7 is repealed."

22 Amend title to conform

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05:09 PM
C: meb