

Sixty-fifth
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1002

Introduced by

Appropriations Committee

1 A BILL for an Act to provide an appropriation for defraying the expenses of the office of the
2 secretary of state and public printing; ~~and~~ to provide an exemption; to amend and reenact
3 sections 54-09-04 and 54-09-12 of the North Dakota Century Code, relating to information
4 preparation fees and confidential information in filed records; and to provide a statement of
5 legislative intent.

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 funds
8 as may be necessary, are appropriated out of any moneys in the general fund in the state
9 treasury, not otherwise appropriated, and from special funds derived from federal funds and
10 other income, to the secretary of state for the purpose of defraying the expenses of the
11 secretary of state and public printing, for the biennium beginning July 1, 2017, and ending
12 June 30, 2019, as follows:

13 Subdivision 1.

SECRETARY OF STATE

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
17 Salaries and wages	\$4,903,514	(\$501,144)	\$4,402,370
18 Operating expenses	2,053,162	607,856	2,661,018
19 Petition review	8,000	0	8,000
20 Election reform	2,703,535	(1,510,673)	1,192,862
21 Total all funds	\$9,668,211	(\$1,403,961)	\$8,264,250
22 Less estimated income	3,583,536	(995,997)	2,587,539
23 Total general fund	\$6,084,675	(\$407,964)	\$5,676,711
24 Full-time equivalent positions	34.00	(3.00)	31.00

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1	Salaries and wages	\$4,903,514	\$55,866	\$4,959,380
2	Operating expenses	2,053,162	607,856	2,661,018
3	Petition review	8,000	0	8,000
4	Election reform	2,703,535	(1,510,880)	1,192,655
5	Total all funds	\$9,668,211	(\$847,158)	\$8,821,053
6	Less estimated income	3,583,536	(432,558)	3,150,978
7	Total general fund	\$6,084,675	(\$414,600)	\$5,670,075
8	Full-time equivalent positions	34.00	(1.00)	33.00

9 Subdivision 2.

10 SECRETARY OF STATE - PUBLIC PRINTING

11			Adjustments or	
12		Base Level	Enhancements	Appropriation
13	Public printing	\$290,045	(\$1,595)	\$288,450
14	Total general fund	\$290,045	(\$1,595)	\$288,450

15 Subdivision 3.

16 BILL TOTAL

17			Adjustments or	
18		Base Level	Enhancements	Appropriation
19	Grand total general fund	\$6,374,720	(\$409,559)	\$5,965,161
20	Grand total special funds	3,583,536	(995,997)	2,587,539
21	Grand total all funds	\$9,958,256	(\$1,405,556)	\$8,552,700
22	Grand total general fund	\$6,374,720	(\$416,195)	\$5,958,525
23	Grand total special funds	3,583,536	(432,558)	3,150,978
24	Grand total all funds	\$9,958,256	(\$848,753)	\$9,109,503

25 **SECTION 2. HEALTH INSURANCE INCREASE.** The appropriation in subdivision 1 of
 26 section 1 of this Act includes the sum of ~~\$94,446~~\$87,603, of which ~~\$91,588~~\$84,952 is from the
 27 general fund, for increases in employee health insurance premiums from \$1,130 to
 28 ~~\$1,249~~\$1,241 per month.

29 **SECTION 3. ONE-TIME FUNDING.** The following amounts reflect the one-time funding
 30 items approved by the sixty-fourth legislative assembly for the 2015-17 biennium:

1	<u>One-Time Funding Description</u>	<u>2015-17</u>	<u>2017-19</u>
2	Technology project	\$3,050,000	\$0
3	Total general fund	\$3,050,000	\$0

4 **SECTION 4. EXEMPTION - GENERAL SERVICES OPERATING FUND.** Any unexpended
5 and unobligated balance remaining in the secretary of state's general services operating fund
6 on June 30, 2017, is not subject to the provisions of section 54-09-08, and any unexpended
7 funds are available and may be expended by the secretary of state during the biennium
8 beginning July 1, 2017, and ending June 30, 2019.

9 **SECTION 5. AMENDMENT.** Subsection 7 of section 54-09-04 of the North Dakota Century
10 Code is amended and reenacted as follows:

11 7. For preparing any listing or compilation of any information recorded or filed in the
12 office of the secretary of state, ~~an amount established by the secretary of state to~~
13 ~~recover the actual cost for assembling and providing the information in the format~~
14 ~~requested~~ forty dollars for each record type requested. Unless otherwise agreed to by
15 the secretary of state, the information shall be provided in an electronic format. If
16 provided in a paper format, an additional fee of fifty cents per page may be charged.

17 **SECTION 6. AMENDMENT.** Section 54-09-12 of the North Dakota Century Code is
18 amended and reenacted as follows:

19 **54-09-12. Confidential information in filed records.**

20 1. A social security number or federal tax identification number disclosed or contained in
21 any record filed with the secretary of state is confidential. However, a social security
22 number or federal tax identification number may be released as authorized in this
23 section or by other state or federal law.

24 2. The secretary of state shall delete or obscure a social security or federal tax
25 identification number before a copy of any record is released to the public. ~~A filing-~~
26 ~~office or an officer or employee of the filing office~~ The secretary of state, or an
27 employee, agent, or contractor of the secretary of state's office, may not be held civilly
28 or criminally liable for the inadvertent disclosure of a social security or federal tax
29 identification number if the filer has placed the number in an improper field on the form
30 prescribed by the secretary of state or the filer submitted a filing other than on the form
31 prescribed by the secretary of state.

1 3. The secretary of state, or an employee, agent, or contractor of the secretary of state's
2 office, may release a social security number or federal tax identification number to
3 another public entity or its agents, employees, or contractors if disclosure is necessary
4 for the receiving entity to perform its duties and responsibilities. The receiving public
5 entity and its agents, employees, and contractors shall maintain the confidential status
6 of the social security number or federal tax identification number.

7 **SECTION 7. LEGISLATIVE INTENT - VOTING SYSTEM AND ELECTRONIC**

8 **POLLBOOKS.** It is the intent of the sixty-fifth legislative assembly that, within the funding
9 appropriated to the secretary of state for the 2017-19 biennium, the secretary of state, to the
10 extent possible, purchase equipment necessary for the implementation of a voting system to be
11 utilized by the secretary of state and county offices in the polling places of the state, and for the
12 procurement and implementation of electronic pollbooks to be utilized statewide in all polling
13 places.