

Sixty-first
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1002

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 office of the
2 secretary of state and public printing; to provide for a transfer; to provide legislative intent; and
3 to amend and reenact sections 16.1-01-15 and 54-09-05 of the North Dakota Century Code,
4 relating to interest earnings on the election fund and to the salary of the secretary of state.

5 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

6 **SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the
7 funds as may be necessary, are appropriated out of any moneys in the general fund in the state
8 treasury, not otherwise appropriated, and from special funds derived from federal funds and
9 other income, to the secretary of state for the purpose of defraying the expenses of the
10 secretary of state and public printing, for the biennium beginning July 1, 2009, and ending
11 June 30, 2011, as follows:

12 Subdivision 1.

13 SECRETARY OF STATE

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
14			
15			
16	Salaries and wages	\$2,634,493	\$307,132
17	Operating expenses	2,059,181	1,096,769
18	Petition review	8,000	0
19	Election reform	5,489,230	2,824,877
20	Bank of North Dakota loan	<u>2,920,000</u>	<u>(2,920,000)</u>
21	Total all funds	\$13,110,904	\$1,308,778
22	Less estimated income	<u>8,873,865</u>	<u>38,660</u>
23	Total general fund	\$4,237,039	\$1,270,118
24	Full-time equivalent positions	27.00	0.00
			27.00

1 Subdivision 2.

2 SECRETARY OF STATE - PUBLIC PRINTING

		Adjustments or		
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>	
3				
4				
5	Operating expenses	\$303,500	\$33,500	\$337,000
6	Total general fund	\$303,500	\$33,500	\$337,000

7 Subdivision 3.

8 BILL TOTAL

		Adjustments or		
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>	
9				
10				
11	Grand total general fund	\$4,540,539	\$1,328,618	\$5,869,157
12	Grand total special funds	8,873,865	38,660	8,912,525
13	Grand total all funds	\$13,414,404	\$1,367,278	\$14,781,682

14 **SECTION 2. APPROPRIATION - TRANSFER.** There is appropriated out of any
 15 moneys in the general fund in the state treasury, not otherwise appropriated, the sum of
 16 \$25,000, which the office of management and budget shall transfer to the secretary of state
 17 election fund for imputed interest earnings allocable to the amount of nonfederal funds
 18 contained in the election fund, for the biennium beginning July 1, 2009, and ending June 30,
 19 2011.

20 **SECTION 3. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO**
 21 **SIXTY-SECOND LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time
 22 funding items approved by the sixtieth legislative assembly for the 2007-09 biennium and the
 23 2009-11 one-time funding items included in the appropriation of section 1 of this Act:

<u>One-Time Funding Description</u>	<u>2007-09</u>	<u>2009-11</u>
24 Mainframe migration computer project	\$824,153	\$780,000
25 Transfer to election fund	0	25,000
26 Total general fund	\$824,153	\$805,000

27 The 2009-11 one-time funding amounts are not part of the entity's base budget for the 2011-13
 28 biennium. The secretary of state shall report to the appropriations committees of the
 29 sixty-second legislative assembly on the use of the one-time funding for the biennium beginning
 30 July 1, 2009, and ending June 30, 2011.
 31

1 **SECTION 4. AMENDMENT.** Section 16.1-01-15 of the North Dakota Century Code is
2 amended and reenacted as follows:

3 **16.1-01-15. Secretary of state to establish and maintain an election fund.** The
4 secretary of state shall establish and maintain a fund, known as the election fund, in the state
5 treasury for the purpose of depositing payments and grants made to the state under the
6 provisions of sections 101, 101(c), and 906, and title III of the Help America Vote Act of 2002
7 [Pub. L. 107-252; 116 Stat. 1666; 42 U.S.C. 15301, 42 U.S.C. 15545, 42 U.S.C. 15481-15502],
8 and funds appropriated by the state. The moneys in the election fund and any interest
9 earnings on the election fund must be used for the exclusive purpose of carrying out activities
10 of the Help America Vote Act of 2002 and are subject to chapter 54-16.

11 **SECTION 5. AMENDMENT.** Section 54-09-05 of the North Dakota Century Code is
12 amended and reenacted as follows:

13 **54-09-05. Salary of secretary of state.** The annual salary of the secretary of state is
14 ~~seventy-six~~ eighty-three thousand five hundred ~~eleven~~ fifty dollars through June 30, ~~2008~~
15 2010, and ~~seventy-nine~~ eighty-seven thousand five ~~seven~~ hundred ~~seventy-one~~ twenty-eight
16 dollars thereafter.