

**Sixty-third Legislative Assembly of North Dakota  
In Regular Session Commencing Tuesday, January 8, 2013**

HOUSE BILL NO. 1002  
(Appropriations Committee)  
(At the request of the Governor)

AN ACT to provide an appropriation for defraying the expenses of the office of the secretary of state and public printing; to provide exemptions; to amend and reenact section 54-09-05 of the North Dakota Century Code, relating to the salary of the secretary of state; and to provide for reports to the budget section.

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

**SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income, to the secretary of state for the purpose of defraying the expenses of the secretary of state and public printing, for the biennium beginning July 1, 2013, and ending June 30, 2015, as follows:

Subdivision 1.

SECRETARY OF STATE

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and wages	\$3,423,343	\$839,880	\$4,263,223
Accrued leave payments	0	82,831	82,831
Operating expenses	2,621,950	41,647	2,663,597
Capital assets	0	10,000	10,000
Petition review	8,000	0	8,000
Election reform	<u>6,206,812</u>	<u>(1,063,697)</u>	<u>5,143,115</u>
Total all funds	\$12,260,105	(\$89,339)	\$12,170,766
Less estimated income	<u>6,786,984</u>	<u>(942,567)</u>	<u>5,844,417</u>
Total general fund	\$5,473,121	\$853,228	\$6,326,349
Full-time equivalent positions	28.00	3.00	31.00

Subdivision 2.

SECRETARY OF STATE - PUBLIC PRINTING

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Public printing	\$310,000	\$10,500	\$320,500
Total general fund	\$310,000	\$10,500	\$320,500

Subdivision 3.

BILL TOTAL

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Grand total general fund	\$5,783,121	\$863,728	\$6,646,849
Grand total special funds	<u>6,786,984</u>	<u>(942,567)</u>	<u>5,844,417</u>
Grand total all funds	\$12,570,105	(\$78,839)	\$12,491,266

**SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO SIXTY-FOURTH LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time funding items approved by the sixty-second legislative assembly for the 2011-13 biennium and the 2013-15 one-time funding items included in the appropriation of section 1 of this Act:

<u>One-Time Funding Description</u>	<u>2011-13</u>	<u>2013-15</u>
Mainframe migration computer project	\$3,500,000	\$0
Online public meeting system	43,039	0
Funding for three new full-time equivalent positions	0	283,754
Overtime funding	0	225,600
Multipurpose copier	0	10,000
Information technology hosting charges	<u>0</u>	<u>84,000</u>
Total general fund	\$3,543,039	\$603,354

The 2013-15 one-time funding amounts are not part of the entity's base budget for the 2015-17 biennium. The secretary of state shall report to the appropriations committees of the sixty-fourth legislative assembly on the use of the one-time funding for the biennium beginning July 1, 2013, and ending June 30, 2015.

**SECTION 3. EXEMPTION - GENERAL SERVICES OPERATING FUND.** Any unexpended and unobligated balance remaining in the secretary of state's general services operating fund on June 30, 2013, is not subject to the provisions of section 54-09-08, and any unexpended funds are available and may be expended by the secretary of state, during the biennium beginning July 1, 2013, and ending June 30, 2015, for the database and processing platform migration project.

**SECTION 4. AMENDMENT.** Section 54-09-05 of the North Dakota Century Code is amended and reenacted as follows:

**54-09-05. Salary of secretary of state.**

The annual salary of the secretary of state is ~~ninety-ninety-six thousand threeseven~~ sixty-ninety-four hundred ~~threeseven~~ sixty-ninety-four dollars through June 30, ~~2012~~2014, and ~~ninety-threeseven~~ ninety-threeseven thousand ~~seventy-onesix~~ seventy-onesix hundred ~~ninety-eight~~ ninety-eight dollars thereafter.

**SECTION 5. EXEMPTION - MAINFRAME MIGRATION COMPUTER PROJECT.** Unexpended funding of \$1,750,000 provided in the operating expenses line item of subdivision 1 of section 1 of chapter 28 of the 2011 Session Laws is not subject to the provisions of section 54-44.1-11 at the end of the 2011-13 biennium and may be continued into the 2013-15 biennium for the completion of the mainframe migration computer project.

**SECTION 6. NEW FULL-TIME EQUIVALENT POSITIONS - LIMITED AUTHORIZATION.** The two new full-time equivalent business registration unit positions and the one new full-time equivalent business information unit position included in subdivision 1 of section 1 of this Act are authorized only for the biennium beginning July 1, 2013, and ending June 30, 2015. The secretary of state shall reevaluate these positions after the completion of the mainframe migration computer project to determine if the positions will be requested as part of the agency's 2015-17 biennium budget request as optional items.

**SECTION 7. CREDIT CARD FEES - BUDGET SECTION REPORTS.** The secretary of state shall report semiannually to the budget section during the 2013-14 interim regarding credit card usage rates and credit card fees paid by the secretary of state.

\_\_\_\_\_  
Speaker of the House

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Chief Clerk of the House

\_\_\_\_\_  
Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Sixty-third Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1002.

House Vote:      Yeas 92              Nays 0              Absent 2

Senate Vote:      Yeas 47              Nays 0              Absent 0

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Chief Clerk of the House

Received by the Governor at \_\_\_\_\_ M. on \_\_\_\_\_, 2013.

Approved at \_\_\_\_\_ M. on \_\_\_\_\_, 2013.

\_\_\_\_\_  
Governor

Filed in this office this \_\_\_\_\_ day of \_\_\_\_\_, 2013,

at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Secretary of State