

Sixty-third  
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 exemptions; ~~and~~ to amend and reenact section  
3 54-09-05 of the North Dakota Century Code, relating to the salary of the secretary of state; and  
4 to provide for reports to the budget section.

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 funds  
7 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, 2013, and ending  
11 June 30, 2015, as follows:

12 Subdivision 1.

13 SECRETARY OF STATE

|    |                                  | Adjustments or         |                      |
|----|----------------------------------|------------------------|----------------------|
|    | Base Level                       | Enhancements           | Appropriation        |
| 14 |                                  |                        |                      |
| 15 |                                  |                        |                      |
| 16 | <del>Salaries and wages</del>    | <del>\$3,423,343</del> | <del>\$765,153</del> |
| 17 | <del>Accrued leave payment</del> | <del>0</del>           | <del>82,831</del>    |
| 18 | <del>Operating expenses</del>    | <del>2,621,950</del>   | <del>(58,353)</del>  |
| 19 | <u>Salaries and wages</u>        | <u>\$3,423,343</u>     | <u>\$839,880</u>     |
| 20 | <u>Accrued leave payments</u>    | <u>0</u>               | <u>82,831</u>        |
| 21 | <u>Operating expenses</u>        | <u>2,621,950</u>       | <u>41,647</u>        |
| 22 | Capital assets                   | 0                      | 10,000               |
| 23 | Petition review                  | 8,000                  | 0                    |
| 24 | Election reform                  | <u>6,206,812</u>       | <u>(1,063,697)</u>   |
|    |                                  |                        | <u>5,143,115</u>     |

Sixty-third  
Legislative Assembly

|   |                                  |                         |                        |                         |
|---|----------------------------------|-------------------------|------------------------|-------------------------|
| 1 | <del>Total all funds</del>       | <del>\$12,260,105</del> | <del>(\$264,066)</del> | <del>\$11,996,039</del> |
| 2 | <del>Less estimated income</del> | <del>6,786,984</del>    | <del>(944,809)</del>   | <del>5,842,175</del>    |
| 3 | <del>Total general fund</del>    | <del>\$5,473,121</del>  | <del>\$680,743</del>   | <del>\$6,153,864</del>  |
| 4 | <u>Total all funds</u>           | <u>\$12,260,105</u>     | <u>(\$89,339)</u>      | <u>\$12,170,766</u>     |
| 5 | <u>Less estimated income</u>     | <u>6,786,984</u>        | <u>(942,567)</u>       | <u>5,844,417</u>        |
| 6 | <u>Total general fund</u>        | <u>\$5,473,121</u>      | <u>\$853,228</u>       | <u>\$6,326,349</u>      |
| 7 | Full-time equivalent positions   | 28.00                   | 3.00                   | 31.00                   |

8 Subdivision 2.

9 SECRETARY OF STATE - PUBLIC PRINTING

|    |                    |                   |                     |                      |
|----|--------------------|-------------------|---------------------|----------------------|
| 10 |                    |                   | Adjustments or      |                      |
| 11 |                    | <u>Base Level</u> | <u>Enhancements</u> | <u>Appropriation</u> |
| 12 | Public printing    | <u>\$310,000</u>  | <u>\$10,500</u>     | <u>\$320,500</u>     |
| 13 | Total general fund | <u>\$310,000</u>  | <u>\$10,500</u>     | <u>\$320,500</u>     |

14 Subdivision 3.

15 BILL TOTAL

|    |                                      |                         |                        |                         |
|----|--------------------------------------|-------------------------|------------------------|-------------------------|
| 16 |                                      |                         | Adjustments or         |                         |
| 17 |                                      | <u>Base Level</u>       | <u>Enhancements</u>    | <u>Appropriation</u>    |
| 18 | <del>Grand total general fund</del>  | <del>\$5,783,121</del>  | <del>\$691,243</del>   | <del>\$6,474,364</del>  |
| 19 | <del>Grand total special funds</del> | <del>6,786,984</del>    | <del>(944,809)</del>   | <del>5,842,175</del>    |
| 20 | <del>Grand total all funds</del>     | <del>\$12,570,105</del> | <del>(\$253,566)</del> | <del>\$12,316,539</del> |
| 21 | <u>Grand total general fund</u>      | <u>\$5,783,121</u>      | <u>\$863,728</u>       | <u>\$6,646,849</u>      |
| 22 | <u>Grand total special funds</u>     | <u>6,786,984</u>        | <u>(942,567)</u>       | <u>5,844,417</u>        |
| 23 | <u>Grand total all funds</u>         | <u>\$12,570,105</u>     | <u>(\$78,839)</u>      | <u>\$12,491,266</u>     |

24 SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO

25 SIXTY-FOURTH LEGISLATIVE ASSEMBLY. The following amounts reflect the one-time  
26 funding items approved by the sixty-second legislative assembly for the 2011-13 biennium and  
27 the 2013-15 one-time funding items included in the appropriation of section 1 of this Act:

|    |  |                |                |
|----|--|----------------|----------------|
| 28 | <u>One-Time Funding Description</u>                  | <u>2011-13</u> | <u>2013-15</u> |
| 29 | Mainframe migration computer project                 | \$3,500,000    | \$0            |
| 30 | Online public meeting system                         | 43,039         | 0              |
| 31 | Funding for three new full-time equivalent positions | 0              | 283,754        |

|   |  |             |               |
|---|--|-------------|---------------|
| 1 | Overtime funding                       | 0           | 225,600       |
| 2 | Multipurpose copier                    | 0           | 10,000        |
| 3 | Information technology hosting charges | <u>0</u>    | <u>84,000</u> |
| 4 | Total general fund                     | \$3,543,039 | \$603,354     |

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

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

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

17 **54-09-05. Salary of secretary of state.**

18 The annual salary of the secretary of state is ~~ninety-ninety-five-ninety-six~~ thousand  
19 ~~three-eight-seven~~ hundred ~~sixty-sixty-three-ninety-four~~ dollars through June 30, 20122014, and  
20 ~~ninety-three-ninety-eight-ninety-nine~~ thousand ~~seventy-one-seven-hundred-thirty-ninesix~~ hundred  
21 ~~ninety-eight~~ dollars thereafter.

22 **SECTION 5. EXEMPTION - MAINFRAME MIGRATION COMPUTER PROJECT.**

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

27 **SECTION 6. NEW FULL-TIME EQUIVALENT POSITIONS - LIMITED AUTHORIZATION.**

28 The two new full-time equivalent business registration unit positions and the one new full-time  
29 equivalent business information unit position included in subdivision 1 of section 1 of this Act  
30 are authorized only for the biennium beginning July 1, 2013, and ending June 30, 2015. The  
31 secretary of state shall reevaluate these positions after the completion of the mainframe

1 migration computer project to determine if the positions will be requested as part of the agency's  
2 2015-17 biennium budget request as optional items.

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