

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1002

That the Senate recede from its amendments as printed on pages 1432-1434 of the House Journal and pages 1156-1158 of the Senate Journal and that Engrossed House Bill No. 1002 be amended as follows:

Page 1, line 2, remove the second "and"

Page 1, line 2, after "exemption" insert "; and to amend and reenact section 16.1-08.1-03.1 as amended by section 6 of Senate Bill No. 2343, as approved by the sixty-fifth legislative assembly, subsection 7 of section 54-09-04, and section 54-09-12 of the North Dakota Century Code, relating to campaign disclosure statements, information preparation fees, and confidential information in filed records"

Page 1, replace lines 14 through 21 with:

"Salaries and wages	\$4,903,514	(\$250,750)	\$4,652,764
Operating expenses	2,053,162	657,856	2,711,018
Petition review	8,000	0	8,000
Election reform	<u>2,703,535</u>	<u>(1,510,880)</u>	<u>1,192,655</u>
Total all funds	\$9,668,211	(\$1,103,774)	\$8,564,437
Less estimated income	<u>3,583,536</u>	<u>(539,381)</u>	<u>3,044,155</u>
Total general fund	\$6,084,675	(\$564,393)	\$5,520,282
Full-time equivalent positions	34.00	(2.00)	32.00"

Page 2, replace lines 9 through 11 with:

"Grand total general fund	\$6,374,720	(\$565,988)	\$5,808,732
Grand total special funds	<u>3,583,536</u>	<u>(539,381)</u>	<u>3,044,155</u>
Grand total all funds	\$9,958,256	(\$1,105,369)	\$8,852,887"

Page 2, line 13, replace "\$94,446" with "\$84,948"

Page 2, line 13, replace "\$91,588" with "\$82,477"

Page 2, line 14, replace "\$1,249" with "\$1,241"

Page 2, after line 24, insert:

**"SECTION 5. AMENDMENT.** Section 16.1-08.1-03.1 of the North Dakota Century Code as amended by section 6 of Senate Bill No. 2343, as approved by the sixty-fifth legislative assembly, is amended and reenacted as follows:

**16.1-08.1-03.1. Special requirements for statements required of measure-committees circulating or promoting passage or defeat of initiated or referred-measurepersons engaged in activities regarding ballot measures.**

1. For each reportable contribution and expenditure under section 5 of this Act, the threshold for reporting is one hundred dollars for any person-~~or measure-committee circulating or promoting passage or defeat of an initiated or referred-measure~~ engaged in activities described in subdivision e of subsection 13 of section 16.1-08.1-01.

2. ~~For contributions received from an out-of-state contributor, a person or measure committee circulating or promoting passage or defeat of an initiated or referred measure engaged in activities described in subdivision e of subsection 13 of section 16.1-08.1-01 shall include the following information regarding subcontributor each subcontributor that has stated a contribution is for the express purpose of furthering the passage or defeat of a ballot measure in the statements required under section 5 of this Act:~~
  - a. A designation as to whether any person contributed in excess of one hundred dollars of the total contribution;
  - b. The name and mailing address of each subcontributor that contributed in excess of one hundred dollars of the total contribution;
  - c. The contribution amounts of each disclosed subcontributor; and
  - d. The occupation, employer, and address for the employer's principal place of business of each disclosed subcontributor.
3. An initiative and referendum sponsoring committee also shall file a disclosure statement by the date the secretary of state approves the petition for circulation, and shall file an additional statement on the date the petitions containing the required number of signatures are submitted to the secretary of state for review. The statements required under this subsection must be in the same form as the year - end statements under section 5 of this Act.
4. A sponsoring committee shall file a statement regarding its intent to compensate circulators before paying for petitions to be circulated.

**SECTION 6. AMENDMENT.** Subsection 7 of section 54-09-04 of the North Dakota Century Code is amended and reenacted as follows:

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

**SECTION 7. AMENDMENT.** Section 54-09-12 of the North Dakota Century Code is amended and reenacted as follows:

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

1. A social security number or federal tax identification number disclosed or contained in any record filed with the secretary of state is confidential. However, a social security number or federal tax identification number may be released as authorized in this section or by other state or federal law.
2. The secretary of state shall delete or obscure a social security or federal tax identification number before a copy of any record is released to the public. ~~A filing office or an officer or employee of the filing office~~ The secretary of state, or an employee, agent, or contractor of the secretary of

state's office, may not be held civilly or criminally liable for the inadvertent disclosure of a social security or federal tax identification number if the filer has placed the number in an improper field on the form prescribed by the secretary of state or the filer submitted a filing other than on the form prescribed by the secretary of state.

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

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**House Bill No. 1002 - Summary of Conference Committee Action**

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Secretary of State						
Total all funds	\$9,668,211	\$8,264,250	\$300,187	\$8,564,437	\$8,821,053	(\$256,616)
Less estimated income	3,583,536	2,587,539	456,616	3,044,155	3,150,978	(106,823)
General fund	\$6,084,675	\$5,676,711	(\$156,429)	\$5,520,282	\$5,670,075	(\$149,793)
Public Printing						
Total all funds	\$290,045	\$288,450	\$0	\$288,450	\$288,450	\$0
Less estimated income	0	0	0	0	0	0
General fund	\$290,045	\$288,450	\$0	\$288,450	\$288,450	\$0
Bill total						
Total all funds	\$9,958,256	\$8,552,700	\$300,187	\$8,852,887	\$9,109,503	(\$256,616)
Less estimated income	3,583,536	2,587,539	456,616	3,044,155	3,150,978	(106,823)
General fund	\$6,374,720	\$5,965,161	(\$156,429)	\$5,808,732	\$5,958,525	(\$149,793)

**House Bill No. 1002 - Secretary of State - Conference Committee Action**

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Salaries and wages	\$4,903,514	\$4,402,370	\$250,394	\$4,652,764	\$4,959,380	(\$306,616)
Operating expenses	2,053,162	2,661,018	50,000	2,711,018	2,661,018	50,000
Petition review	8,000	8,000		8,000	8,000	
Election reform	2,703,535	1,192,862	(207)	1,192,655	1,192,655	
Total all funds	\$9,668,211	\$8,264,250	\$300,187	\$8,564,437	\$8,821,053	(\$256,616)
Less estimated income	3,583,536	2,587,539	456,616	3,044,155	3,150,978	(106,823)
General fund	\$6,084,675	\$5,676,711	(\$156,429)	\$5,520,282	\$5,670,075	(\$149,793)
FTE	34.00	31.00	1.00	32.00	33.00	(1.00)

**Department No. 108 - Secretary of State - Detail of Conference Committee Changes**

	Adjusts Funding for Health Insurance Increases <sup>1</sup>	Restores 1 FTE Position <sup>2</sup>	Adds Funding for Overtime and Temporary Salaries <sup>3</sup>	Adjusts Funding for Operating Expenses <sup>4</sup>	Adds Funding for Campaign Disclosure Software <sup>5</sup>	Total Conference Committee Changes
Salaries and wages	(\$6,429)	\$106,823	\$150,000			\$250,394
Operating expenses					50,000	50,000

Petition review						
Election reform	(207)					(207)
Total all funds	(\$6,636)	\$106,823	\$150,000	\$0	\$50,000	\$300,187
Less estimated income	(207)	106,823	150,000	200,000	0	456,616
General fund	(\$6,429)	\$0	\$0	(\$200,000)	\$50,000	(\$156,429)
FTE	0.00	1.00	0.00	0.00	0.00	1.00

<sup>1</sup> Funding for employee health insurance is adjusted to reflect the updated premium amount of \$1,241 per month. Section 2 is also adjusted to reflect the revised premium rate.

<sup>2</sup> Funding of \$106,823 is restored for 1 FTE position with funding from the general services operating fund. This results in a total reduction of 2 FTE positions and related funding of \$211,268 from the general fund. The House removed a total of 3 FTE positions and related funding of \$318,091 from the general fund. The Senate restored 2 FTE positions and related funding of \$213,646 from the general services operating fund.

<sup>3</sup> Funding of \$150,000 from the general services operating fund is added for overtime and temporary salaries. The Senate added \$350,000 from the general services operating fund for overtime and temporary salaries.

<sup>4</sup> A funding source change of \$200,000 is made from the general fund to the general services operating fund for operating expenses.

<sup>5</sup> Funding of \$50,000 is provided from the general fund for implementing software to comply with new campaign disclosure requirements approved in Senate Bill No. 2343. Section 5 of the bill also amends North Dakota Century Code Section 16.1-08.1-03.1, as amended by Section 6 of Senate Bill No. 2343, relating to subcontributor contributions for campaign and ballot measure purposes.

This amendment also:

- Adds a section to amend Section 54-09-04(7) to allow the Secretary of State to charge a flat rate fee of \$40 for certain information requests, rather than a fee based on each information request. The Senate also added this section.
- Adds a section to amend Section 54-09-12 to allow the Secretary of State to disclose social security numbers or federal tax identification numbers to public entities if disclosure is necessary for the receiving entity to perform its duties and responsibilities. The Senate also added this section.

#### **House Bill No. 1002 - Public Printing - Conference Committee Action**

The Senate did not change funding for public printing. No further action was taken in the Conference Committee related to public printing.