

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

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

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

14 Subdivision 1.

## SECRETARY OF STATE

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

Sixty-fifth  
Legislative Assembly

|   |   |                  |                   |                  |
|---|---|------------------|-------------------|------------------|
| 1 | <del>Full-time equivalent positions</del> | <del>34.00</del> | <del>(3.00)</del> | <del>31.00</del> |
| 2 | Salaries and wages                        | \$4,903,514      | (\$250,750)       | \$4,652,764      |
| 3 | Operating expenses                        | 2,053,162        | 657,856           | 2,711,018        |
| 4 | Petition review                           | 8,000            | 0                 | 8,000            |
| 5 | Election reform                           | 2,703,535        | (1,510,880)       | 1,192,655        |
| 6 | Total all funds                           | \$9,668,211      | (\$1,103,774)     | \$8,564,437      |
| 7 | Less estimated income                     | 3,583,536        | (539,381)         | 3,044,155        |
| 8 | Total general fund                        | \$6,084,675      | (\$564,393)       | \$5,520,282      |
| 9 | Full-time equivalent positions            | 34.00            | (2.00)            | 32.00            |

10 Subdivision 2.

11 SECRETARY OF STATE - PUBLIC PRINTING

|    |                    |                  |                  |                  |
|----|--------------------|------------------|------------------|------------------|
| 12 |                    |                  | Adjustments or   |                  |
| 13 |                    | Base Level       | Enhancements     | Appropriation    |
| 14 | Public printing    | <u>\$290,045</u> | <u>(\$1,595)</u> | <u>\$288,450</u> |
| 15 | Total general fund | \$290,045        | (\$1,595)        | \$288,450        |

16 Subdivision 3.

17 BILL TOTAL

|    |                                      |                        |                          |                        |
|----|--------------------------------------|------------------------|--------------------------|------------------------|
| 18 |                                      |                        | Adjustments or           |                        |
| 19 |                                      | Base Level             | Enhancements             | Appropriation          |
| 20 | <del>Grand total general fund</del>  | <del>\$6,374,720</del> | <del>(\$409,559)</del>   | <del>\$5,965,161</del> |
| 21 | <del>Grand total special funds</del> | <del>3,583,536</del>   | <del>(995,997)</del>     | <del>2,587,539</del>   |
| 22 | <del>Grand total all funds</del>     | <del>\$9,958,256</del> | <del>(\$1,405,556)</del> | <del>\$8,552,700</del> |
| 23 | Grand total general fund             | \$6,374,720            | (\$565,988)              | \$5,808,732            |
| 24 | Grand total special funds            | 3,583,536              | (539,381)                | 3,044,155              |
| 25 | Grand total all funds                | \$9,958,256            | (\$1,105,369)            | \$8,852,887            |

26 **SECTION 2. HEALTH INSURANCE INCREASE.** The appropriation in subdivision 1 of  
 27 section 1 of this Act includes the sum of ~~\$94,446~~\$84,948, of which ~~\$91,588~~\$82,477 is from the  
 28 general fund, for increases in employee health insurance premiums from \$1,130 to  
 29 ~~\$1,249~~\$1,241 per month.

30 **SECTION 3. ONE-TIME FUNDING.** The following amounts reflect the one-time funding  
 31 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.** Section 16.1-08.1-03.1 of the North Dakota Century Code as  
10 amended by section 6 of Senate Bill No. 2343, as approved by the sixty-fifth legislative  
11 assembly, is amended and reenacted as follows:

12       **16.1-08.1-03.1. Special requirements for statements required of ~~measure committees-~~**  
13 **~~circulating or promoting passage or defeat of initiated or referred measure~~ persons**  
14 **engaged in activities regarding ballot measures.**

- 15       1. For each reportable contribution and expenditure under section 5 of this Act, the  
16 threshold for reporting is one hundred dollars for any person ~~or measure committee-~~  
17 ~~circulating or promoting passage or defeat of an initiated or referred measure~~ engaged  
18 in activities described in subdivision e of subsection 13 of section 16.1-08.1-01.
- 19       2. For contributions received from an out-of-state contributor, a person ~~or measure-~~  
20 ~~committee circulating or promoting passage or defeat of an initiated or referred-~~  
21 ~~measure~~ engaged in activities described in subdivision e of subsection 13 of  
22 section 16.1-08.1-01 shall include the following information regarding ~~subcontributors-~~  
23 each subcontributor that has stated a contribution is for the express purpose of  
24 furthering the passage or defeat of a ballot measure in the statements required under  
25 section 5 of this Act:
  - 26       a. A designation as to whether any person contributed in excess of one hundred  
27 dollars of the total contribution;
  - 28       b. The name and mailing address of each subcontributor that contributed in excess  
29 of one hundred dollars of the total contribution;
  - 30       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

1           prescribed by the secretary of state or the filer submitted a filing other than on the form  
2           prescribed by the secretary of state.

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