

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1002

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

Page 1, line 2, after "exemption" insert "; to amend and reenact sections 54-09-04 and 54-09-12 of the North Dakota Century Code, relating to information preparation fees and confidential information in filed records; and to provide a statement of legislative intent"

Page 1, replace lines 14 through 21 with:

"Salaries and wages	\$4,903,514	\$55,866	\$4,959,380
Operating expenses	2,053,162	607,856	2,661,018
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	(\$847,158)	\$8,821,053
Less estimated income	<u>3,583,536</u>	<u>(432,558)</u>	<u>3,150,978</u>
Total general fund	\$6,084,675	(\$414,600)	\$5,670,075
Full-time equivalent positions	34.00	(1.00)	33.00"

Page 2, replace lines 9 through 11 with:

"Grand total general fund	\$6,374,720	(\$416,195)	\$5,958,525
Grand total special funds	<u>3,583,536</u>	<u>(432,558)</u>	<u>3,150,978</u>
Grand total all funds	\$9,958,256	(\$848,753)	\$9,109,503"

Page 2, line 13, replace "\$94,446" with "\$87,603"

Page 2, line 13, replace "\$91,588" with "\$84,952"

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

Page 2, after line 24, insert:

**"SECTION 5. 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 shall be provided in an electronic format. If provided in a paper format, an additional fee of fifty cents per page may be charged.

**SECTION 6. 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 officeThe 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 its agents, employees, or contractors if disclosure is necessary for the receiving entity to perform its duties and responsibilities. The receiving public entity and its agents, employees, and contractors shall maintain the confidential status of the social security number or federal tax identification number.

**SECTION 7. LEGISLATIVE INTENT - VOTING SYSTEM AND ELECTRONIC POLLBOOKS.** It is the intent of the sixty-fifth legislative assembly that, within the funding appropriated to the secretary of state for the 2017-19 biennium, the secretary of state, to the extent possible, purchase equipment necessary for the implementation of a voting system to be utilized by the secretary of state and county offices in the polling places of the state, and for the procurement and implementation of electronic pollbooks to be utilized statewide in all polling places."

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**House Bill No. 1002 - Summary of Senate Action**

	Base Budget	House Version	Senate Changes	Senate Version
Secretary of State				
Total all funds	\$9,668,211	\$8,264,250	\$556,803	\$8,821,053
Less estimated income	3,583,536	2,587,539	563,439	3,150,978
General fund	\$6,084,675	\$5,676,711	(\$6,636)	\$5,670,075
Public Printing				
Total all funds	\$290,045	\$288,450	\$0	\$288,450
Less estimated income	0	0	0	0
General fund	\$290,045	\$288,450	\$0	\$288,450
Bill total				
Total all funds	\$9,958,256	\$8,552,700	\$556,803	\$9,109,503
Less estimated income	3,583,536	2,587,539	563,439	3,150,978
General fund	\$6,374,720	\$5,965,161	(\$6,636)	\$5,958,525

**House Bill No. 1002 - Secretary of State - Senate Action**

	Base Budget	House Version	Senate Changes	Senate Version
Salaries and wages	\$4,903,514	\$4,402,370	\$557,010	\$4,959,380
Operating expenses	2,053,162	2,661,018		2,661,018
Petition review	8,000	8,000		8,000
Election reform	2,703,535	1,192,862	(207)	1,192,655

Total all funds	\$9,668,211	\$8,264,250	\$556,803	\$8,821,053
Less estimated income	3,583,536	2,587,539	563,439	3,150,978
General fund	\$6,084,675	\$5,676,711	(\$6,636)	\$5,670,075
FTE	34.00	31.00	2.00	33.00

**Department No. 108 - Secretary of State - Detail of Senate Changes**

	Adjusts Funding for Health Insurance Increases <sup>1</sup>	Restores 2 FTE Positions <sup>2</sup>	Adds Funding for Overtime and Temporary Salaries <sup>3</sup>	Total Senate Changes
Salaries and wages	(\$6,636)	\$213,646	\$350,000	\$557,010
Operating expenses				
Petition review				
Election reform	(207)			(207)
Total all funds	(\$6,843)	\$213,646	\$350,000	\$556,803
Less estimated income	(207)	213,646	350,000	563,439
General fund	(\$6,636)	\$0	\$0	(\$6,636)
FTE	0.00	2.00	0.00	2.00

<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 \$213,646 is restored for 2 FTE positions. The House removed these positions and the related funding from the general fund. Funding for the restored positions is from the general services operating fund.

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

This amendment also:

- Adds a section to amend North Dakota Century Code Section 54-09-04(7) to allow the Secretary of State to charge a flat rate fee of \$40 for certain requests of information, rather than a fee based on each individual request for information.
- 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.
- Adds a section providing legislative intent that the Secretary of State, to the extent possible, purchase equipment for the implementation of a voting system and electronic pollbooks during the 2017-19 biennium.