

PROPOSED AMENDMENTS TO SENATE BILL NO. 2002

Page 1, line 2, after "printing" insert "; to amend and reenact sections 54-09-05, 54-09-08, and 54-09-11 of the North Dakota Century Code, relating to the salary of the secretary of state, the general services operating fund, and fees charged by the secretary of state; to provide a report to the legislative assembly; and to provide an exemption"

Page 1, replace lines 11 through 20 with:

"	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and wages	\$4,652,764	\$296,571	\$4,949,335
Operating expenses	2,711,018	298,535	3,009,553
Petition review	8,000	0	8,000
Election reform	<u>1,192,655</u>	<u>11,607,965</u>	<u>12,800,620</u>
Total all funds	\$8,564,437	\$12,203,071	\$20,767,508
Less estimated income	<u>3,044,155</u>	<u>12,385,493</u>	<u>15,429,648</u>
Total general fund	\$5,520,282	(\$182,422)	\$5,337,860
Full-time equivalent positions	32.00	0.00	32.00"

Page 2, replace lines 1 through 4 with:

"	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Public printing	<u>\$288,450</u>	(\$31,172)	<u>\$257,278</u>
Total general fund	\$288,450	(\$31,172)	\$257,278"

Page 2, replace lines 6 through 10 with:

"	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Grand total general fund	\$5,808,732	(\$213,594)	\$5,595,138
Grand total special funds	<u>3,044,155</u>	<u>12,385,493</u>	<u>15,429,648</u>
Grand total all funds	\$8,852,887	\$12,171,899	\$21,024,786"

Page 2, line 11, after "**FUNDING**" insert "**- REPORT**"

Page 2, line 12, after "biennium" insert "and the 2019-21 biennium one-time funding items included in the appropriation in section 1 of this Act"

Page 2, replace lines 14 and 15 with:

"Electronic payment processing system	\$194,000	\$0
Voting system and e-poll books	<u>0</u>	<u>11,200,000</u>
Total special funds	\$194,000	\$11,200,000

The 2019-21 biennium one-time funding amounts are not part of the entity's base budget for the 2019-21 biennium. The secretary of state shall report to the appropriations committees of the sixty-seventh legislative assembly on the use of this one-time funding for the biennium beginning July 1, 2019, and ending June 30, 2021.

SECTION 3. ESTIMATED INCOME - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND - VOTING SYSTEM AND E-POLL BOOKS. The estimated income line item in section 1 of this Act includes the sum of \$8,200,000 from the strategic investment and improvements fund for the statewide voting system and e-poll book project for the biennium beginning July 1, 2019, and ending June 31, 2021.

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 one hundred ~~twoseven~~ thousand ~~sixeight~~ hundred ~~eightynine~~~~eighty-five~~ dollars through June 30, ~~2016~~~~2019~~, and one hundred ~~fiveeven~~ thousand ~~sevenone~~ hundred ~~seventy~~~~twenty-two~~ dollars thereafter.

SECTION 5. AMENDMENT. Section 54-09-08 of the North Dakota Century Code is amended and reenacted as follows:

54-09-08. Secretary of state's general services operating fund.

The secretary of state's general services operating fund is a special fund in the state treasury. Moneys in the fund are to be used pursuant to legislative appropriations for the provision of services under section 16.1-02-15, subsection 4 of section 41-09-94, subsection 5 of section 41-09-96, subsection 7 of section 54-09-04, and sections 10-35-33, 54-09-10, and 54-09-11. ~~At the close of each biennium, the secretary of state shall transfer any unobligated balance remaining in the fund exceeding seventy-five thousand dollars to the general fund.~~

SECTION 6. AMENDMENT. Section 54-09-11 of the North Dakota Century Code is amended and reenacted as follows:

54-09-11. Fees.

1. The secretary of state shall establish fees for any programming charges specifically incurred to provide information requested by persons which is related to the central indexing system and for other services provided through the computerized system.
2. A fee may not be required for furnishing information on a verbal request pursuant to subsection 3 of section 54-09-10, and the fee for furnishing a certificate under subsection 3 of section 54-09-10 is fifteen dollars.
3. ~~The secretary of state shall establish the fee for furnishing lists from the central indexing system based on actual costs to produce the lists for distribution~~ For preparing a listing or compilation of any information recorded or filed in the office of the secretary of state, the secretary of state may charge a fee of forty dollars for each record requested. The secretary of state shall provide the requested information in an electronic format, unless the secretary of state agrees to a request to provide the information in a different format. If the secretary of state provides the requested information in a paper format, the secretary of state may charge an additional fee of fifty cents per page.
4. Fees collected by the secretary of state under this section, under subsection 4 of section 41-09-94, and subsection 5 of section 41-09-96,

and ~~ten~~twenty dollars from each filing entered into the central indexing system must be deposited in the secretary of state's general services operating fund. Fees collected by the secretary of state under this section must be used for the programming and maintenance of the central indexing system information technology systems administered by the secretary of state.

5. ~~The secretary of state shall pay ten dollars to the county recorder of the county of residence for the first debtor listed on each statement filed pursuant to section 35-13-02, 35-17-04, 35-20-16, 35-30-02, 35-31-02, or 41-09-72. The payment must be made monthly from the general fund in the state treasury.~~

SECTION 7. EXEMPTION - TECHNOLOGY PROJECT. The \$3,050,000 general fund appropriation for the technology project in the operating expenses line item in subdivision 1 of section 1 of chapter 36 of the 2015 Session Laws is not subject to the provisions of section 54-44.1-11. Any unexpended funds from this appropriation may continue and be expended during the biennium beginning July 1, 2019, and ending June 30, 2021.

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2002 - Summary of Senate Action

	Base Budget	Senate Changes	Senate Version
Secretary of State			
Total all funds	\$8,564,437	\$12,203,071	\$20,767,508
Less estimated income	3,044,155	12,385,493	15,429,648
General fund	\$5,520,282	(\$182,422)	\$5,337,860
FTE	32.00	0.00	32.00
Public Printing			
Total all funds	\$288,450	(\$31,172)	\$257,278
Less estimated income	0	0	0
General fund	\$288,450	(\$31,172)	\$257,278
FTE	0.00	0.00	0.00
Bill total			
Total all funds	\$8,852,887	\$12,171,899	\$21,024,786
Less estimated income	3,044,155	12,385,493	15,429,648
General fund	\$5,808,732	(\$213,594)	\$5,595,138
FTE	32.00	0.00	32.00

Senate Bill No. 2002 - Secretary of State - Senate Action

	Base Budget	Senate Changes	Senate Version
Salaries and wages	\$4,652,764	\$296,571	\$4,949,335
Operating expenses	2,711,018	298,535	3,009,553
Petition review	8,000		8,000
Election reform	1,192,655	11,607,965	12,800,620
Total all funds	\$8,564,437	\$12,203,071	\$20,767,508
Less estimated income	3,044,155	12,385,493	15,429,648
General fund	\$5,520,282	(\$182,422)	\$5,337,860
FTE	32.00	0.00	32.00

Department 108 - Secretary of State - Detail of Senate Changes

	Adjusts Funding for Base Payroll Changes¹	Adds Funding for Salary and Benefit Increases²	Adds Funding for Temporary Salaries³	Reduces Funding for Election Reform⁴	Increases Funding for Operating Expenses⁵	Increases Funding for Technology Projects⁶
Salaries and wages	(\$118,954)	\$265,525	\$150,000			
Operating expenses					\$293,671	
Petition review						
Election reform	1,020	9,442		(\$402,497)		\$800,000
Total all funds	(\$117,934)	\$274,967	\$150,000	(\$402,497)	\$293,671	\$800,000
Less estimated income	(200,158)	16,676	150,000	(402,497)	820,673	800,000
General fund	\$82,224	\$258,291	\$0	\$0	(\$527,002)	\$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

	Adds Funding for Microsoft Office 365⁷	Adds Funding for Voting System and E-poll Books⁸	Total Senate Changes
Salaries and wages			296,571
Operating expenses	\$4,864		\$298,535
Petition review			
Election reform		\$11,200,000	11,607,965
Total all funds	\$4,864	\$11,200,000	\$12,203,071
Less estimated income	799	11,200,000	12,385,493
General fund	\$4,065	\$0	(\$182,422)
FTE	0.00	0.00	0.00

¹ Funding is adjusted for base payroll changes.

² The following funding is added for 2019-21 biennium salary adjustments of 2 percent on July 1, 2019, and 3 percent on July 1, 2020, and increases in health insurance premiums from \$1,241 to \$1,427 per month:

	General Fund	Other Funds	Total
Salary increase	\$124,429	\$7,752	\$132,181
Health insurance increase	133,862	8,924	142,786
Total	\$258,291	\$16,676	\$274,967

³ Adds funding for temporary salaries from the Secretary of State's general services operating fund.

⁴ Reduces federal (\$229,662) and state matching funds (\$172,835) for election reform.

⁵ Increases funding from the Secretary of State's general services operating fund (\$820,673) and reduces funding from the general fund (\$527,002) to provide a total of \$3,009,553 for operating expenses.

⁶ Increases funding for technology projects from additional revenue of \$800,000 deposited in the Secretary of State's general services operating fund as a result of changes in Section 6 of the bill. The \$800,000 in additional revenue is anticipated to be used for the Secretary of State's statewide voting system and e-poll book project, which is expected to cost a total of \$12 million during the 2019-21 biennium.

⁷ Adds funding for Microsoft Office 365 licensing.

⁸ Adds one-time funding from the strategic investment and improvements fund (\$8,200,000) and federal funds (\$3,000,000) for the Secretary of State's statewide voting system and e-poll book project, which is expected to cost a total of \$12 million during the 2019-21 biennium.

This amendment also adds sections to:

- Identify \$8.2 million from the strategic investment and improvements fund for the Secretary of State's statewide voting system and e-poll book project.
- Provide the statutory changes to increase the Secretary of State's salary. The Secretary of State's annual salary would increase from the current level of \$105,770 to \$107,885, effective July 1, 2019, and to \$111,122, effective July 1, 2020, to reflect the 2 percent and 3 percent salary increase.

- Amend North Dakota Century Code Section 54-09-08 to remove the requirement to transfer all funds in the Secretary of State's general services operating fund exceeding \$75,000 to the general fund at the end of each biennium.
- Amend Section 54-09-11 to remove a directive for the Secretary of State to establish a fee for furnishing lists from the central indexing system and establish a fee of \$40 for preparing any listing or compilation of any information recorded or filed, and provide an additional fee of 50 cents per page for a listing in paper format. The section also amends Section 54-09-11 to increase the filing fee for the central indexing system from \$10 to \$20 and allows the fee to be used for the programming and maintenance of the information technology systems administered by the Secretary of State. The section also amends Section 54-09-11 to remove the requirement for the Secretary of State to pay \$10 to the county recorder of the county of residence for the first debtor listed on certain statements.
- Provide that any unexpended funds from the technology project in Section 2 of Chapter 36 of the 2015 Session Laws may be continued and spent during the 2019-21 biennium.

Senate Bill No. 2002 - Public Printing - Senate Action

	Base Budget	Senate Changes	Senate Version
Public printing	\$288,450	(\$31,172)	\$257,278
Total all funds	\$288,450	(\$31,172)	\$257,278
Less estimated income	0	0	0
General fund	\$288,450	(\$31,172)	\$257,278
FTE	0.00	0.00	0.00

Department 109 - Public Printing - Detail of Senate Changes

	Reduces Funding for Public Printing ¹	Total Senate Changes
Public printing	(\$31,172)	(\$31,172)
Total all funds	(\$31,172)	(\$31,172)
Less estimated income	0	0
General fund	(\$31,172)	(\$31,172)
FTE	0.00	0.00

¹ Reduces funding for public printing to provide a total of \$257,278 from the general fund.