

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; to amend and reenact sections 54-09-05, 54-09-08, and
3 54-09-11 of the North Dakota Century Code, relating to the salary of the secretary of state, the
4 general services operating fund, and fees charged by the secretary of state; to provide a report
5 to the legislative assembly; and to provide an exemption.

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

7 **SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds
8 as may be necessary, are appropriated out of any moneys in the general fund in the state
9 treasury, not otherwise appropriated, and from special funds derived from federal funds and
10 other income, to the secretary of state for the purpose of defraying the expenses of the
11 secretary of state and public printing, for the biennium beginning July 1, 2019, and ending
12 June 30, 2021, as follows:

13 Subdivision 1.

SECRETARY OF STATE

	<u>Governor's</u>		
	<u>Base Level</u>	<u>Recommendation</u>	<u>Appropriation</u>
14 <u>Salaries and wages</u>	<u>\$4,652,764</u>	<u>\$5,009,879</u>	<u>\$4,652,764</u>
15 <u>Operating expenses</u>	<u>2,711,018</u>	<u>3,809,553</u>	<u>2,711,018</u>
16 <u>Petition review</u>	<u>8,000</u>	<u>8,000</u>	<u>8,000</u>
17 <u>Election reform</u>	<u>1,192,655</u>	<u>11,803,155</u>	<u>1,192,655</u>
18 <u>Total all funds</u>	<u>\$8,564,437</u>	<u>\$20,630,587</u>	<u>\$8,564,437</u>
19 <u>Less estimated income</u>	<u>3,044,155</u>	<u>15,233,041</u>	<u>3,044,155</u>
20 <u>Total general fund</u>	<u>\$5,520,282</u>	<u>\$5,397,546</u>	<u>\$5,520,282</u>
21 <u>Full-time equivalent positions</u>	<u>32.00</u>	<u>32.00</u>	<u>32.00</u>

	Adjustments or		
	Base Level	Enhancements	Appropriation
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	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
Total general fund	\$5,520,282	(\$182,422)	\$5,337,860
Full-time equivalent positions	32.00	0.00	32.00

Subdivision 2.

SECRETARY OF STATE - PUBLIC PRINTING

	Governor's		
	Base Level	Recommendation	Appropriation
Public printing	\$288,450	\$257,278	\$288,450
Total general fund	\$288,450	\$257,278	\$288,450

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

Subdivision 3.

BILL TOTAL

	Governor's		
	Base Level	Recommendation	Appropriation
Grand total general fund	\$5,808,732	\$5,654,824	\$5,808,732
Grand total special funds	3,044,155	15,233,041	3,044,155
Grand total all funds	\$8,852,887	\$20,887,865	\$8,852,887

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

1 **SECTION 2. ONE-TIME FUNDING - REPORT.** The following amounts reflect the one-time
2 funding items approved by the sixty-fifth legislative assembly for the 2017-19 biennium and the
3 2019-21 biennium one-time funding items included in the appropriation in section 1 of this Act.

4 One-Time Funding Description	2017-19	2019-21
5 Electronic payment processing system	\$194,000	\$0
6 Total special funds	\$194,000	\$0
7 <u>Electronic payment processing system</u>	<u>\$194,000</u>	<u>\$0</u>
8 <u>Voting system and e-poll books</u>	<u>0</u>	<u>11,200,000</u>
9 <u>Total special funds</u>	<u>\$194,000</u>	<u>\$11,200,000</u>

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

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

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

21 **54-09-05. Salary of secretary of state.**

22 The annual salary of the secretary of state is one hundred ~~twoseven~~ thousand ~~sixeight~~
23 hundred ~~eighty-nine~~eighty-five dollars through June 30, ~~2016~~2019, and one hundred ~~five~~eleven
24 thousand ~~seven~~one hundred ~~seventy~~twenty-two dollars thereafter.

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

27 **54-09-08. Secretary of state's general services operating fund.**

28 The secretary of state's general services operating fund is a special fund in the state
29 treasury. Moneys in the fund are to be used pursuant to legislative appropriations for the
30 provision of services under section 16.1-02-15, subsection 4 of section 41-09-94, subsection 5
31 of section 41-09-96, subsection 7 of section 54-09-04, and sections 10-35-33, 54-09-10, and

1 54-09-11. ~~At the close of each biennium, the secretary of state shall transfer any unobligated~~
2 ~~balance remaining in the fund exceeding seventy-five thousand dollars to the general fund.~~

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

5 **54-09-11. Fees.**

- 6 1. The secretary of state shall establish fees for any programming charges specifically
7 incurred to provide information requested by persons which is related to the central
8 indexing system and for other services provided through the computerized system.
- 9 2. A fee may not be required for furnishing information on a verbal request pursuant to
10 subsection 3 of section 54-09-10, and the fee for furnishing a certificate under
11 subsection 3 of section 54-09-10 is fifteen dollars.
- 12 3. ~~The secretary of state shall establish the fee for furnishing lists from the central~~
13 ~~indexing system based on actual costs to produce the lists for distribution~~For
14 preparing a listing or compilation of any information recorded or filed in the office of the
15 secretary of state, the secretary of state may charge a fee of forty dollars for each
16 record requested. The secretary of state shall provide the requested information in an
17 electronic format, unless the secretary of state agrees to a request to provide the
18 information in a different format. If the secretary of state provides the requested
19 information in a paper format, the secretary of state may charge an additional fee of
20 fifty cents per page.
- 21 4. Fees collected by the secretary of state under this section, under subsection 4 of
22 section 41-09-94, and subsection 5 of section 41-09-96, and ~~ten~~twenty dollars from
23 each filing entered into the central indexing system must be deposited in the secretary
24 of state's general services operating fund. Fees collected by the secretary of state
25 under this section ~~must~~may be used for the programming and maintenance of ~~the~~
26 ~~central indexing system~~information technology systems administered by the secretary
27 of state.
- 28 ~~5. The secretary of state shall pay ten dollars to the county recorder of the county of~~
29 ~~residence for the first debtor listed on each statement filed pursuant to section~~
30 ~~35-13-02, 35-17-04, 35-20-16, 35-30-02, 35-31-02, or 41-09-72. The payment must be~~
31 ~~made monthly from the general fund in the state treasury.~~

1 | **SECTION 7. EXEMPTION - TECHNOLOGY PROJECT.** The \$3,050,000 general fund
2 | appropriation for the technology project in the operating expenses line item in subdivision 1 of
3 | section 1 of chapter 36 of the 2015 Session Laws is not subject to the provisions of section
4 | 54-44.1-11. Any unexpended funds from this appropriation may continue and be expended
5 | during the biennium beginning July 1, 2019, and ending June 30, 2021.