

Sixty-sixth  
Legislative Assembly  
of North Dakota

## ENGROSSED SENATE BILL NO. 2002

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 authorize a line  
5 item transfer during the 2017-19 biennium; to provide a report to the legislative assembly; ~~and~~  
6 to provide ~~an exemption~~exemptions; and to declare an emergency.

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, 2019, and ending  
13 June 30, 2021, as follows:

14 Subdivision 1.

## SECRETARY OF STATE

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

Sixty-sixth  
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1	Salaries and wages	\$4,652,764	\$325,362	\$4,978,126
2	Operating expenses	2,711,018	298,535	3,009,553
3	Petition review	8,000	0	8,000
4	Election reform	1,192,655	11,609,092	12,801,747
5	Total all funds	\$8,564,437	\$12,232,989	\$20,797,426
6	Less estimated income	3,044,155	12,387,486	15,431,641
7	Total general fund	\$5,520,282	(\$154,497)	\$5,365,785
8	Full-time equivalent positions	32.00	0.00	32.00

9 Subdivision 2.

SECRETARY OF STATE - PUBLIC PRINTING

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

14 Subdivision 3.

BILL TOTAL

15			Adjustments or	
16		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
17	<del>Grand total general fund</del>	<del>\$5,808,732</del>	<del>(\$213,594)</del>	<del>\$5,595,138</del>
18	<del>Grand total special funds</del>	<del>3,044,155</del>	<del>12,385,493</del>	<del>15,429,648</del>
19	<del>Grand total all funds</del>	<del>\$8,852,887</del>	<del>\$12,171,899</del>	<del>\$21,024,786</del>
20	Grand total general fund	\$5,808,732	(\$185,669)	\$5,623,063
21	Grand total special funds	3,044,155	12,387,486	15,431,641
22	Grand total all funds	\$8,852,887	\$12,201,817	\$21,054,704

23 **SECTION 2. ONE-TIME FUNDING - REPORT.** The following amounts reflect the one-time  
 24 funding items approved by the sixty-fifth legislative assembly for the 2017-19 biennium and the  
 25 2019-21 biennium one-time funding items included in the appropriation in section 1 of this Act.

26	<u>One-Time Funding Description</u>	<u>2017-19</u>	<u>2019-21</u>
27	Electronic payment processing system	\$194,000	\$0
28	Voting system and e-poll books	0	11,200,000
29	Total special funds	\$194,000	\$11,200,000

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

5 **SECTION 3. ESTIMATED INCOME - STRATEGIC INVESTMENT AND IMPROVEMENTS**  
6 **FUND - VOTING SYSTEM AND E-POLL BOOKS.** The estimated income line item in section 1  
7 of this Act includes the sum of \$8,200,000 from the strategic investment and improvements fund  
8 for the statewide voting system and e-poll book project for the ~~biennium period beginning July 1,~~  
9 ~~2019~~ with the effective date of this Act, and ending June 31, 2021.

10 **SECTION 4. EXEMPTION - LINE ITEM TRANSFER - 2017-19 BIENNIUM.**  
11 Notwithstanding section 54-16-06, the secretary of state may transfer up to \$140,000 of special  
12 funds from the operating expenses line item to the salaries and wages line item contained in  
13 section 1 of chapter 2 of the 2017 Session Laws.

14 **SECTION 5. AMENDMENT.** Section 54-09-05 of the North Dakota Century Code is  
15 amended and reenacted as follows:

16 **54-09-05. Salary of secretary of state.**

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

20 **SECTION 6. AMENDMENT.** Section 54-09-08 of the North Dakota Century Code is  
21 amended and reenacted as follows:

22 **54-09-08. Secretary of state's general services operating fund.**

23 The secretary of state's general services operating fund is a special fund in the state  
24 treasury. Moneys in the fund are to be used pursuant to legislative appropriations for the  
25 provision of services under section 16.1-02-15, subsection 4 of section 41-09-94, subsection 5  
26 of section 41-09-96, subsection 7 of section 54-09-04, and sections 10-35-33, 54-09-10, and  
27 54-09-11. ~~At the close of each biennium, the secretary of state shall transfer any unobligated~~  
28 ~~balance remaining in the fund exceeding seventy-five thousand dollars to the general fund.~~

29 **SECTION 7. AMENDMENT.** Section 54-09-11 of the North Dakota Century Code is  
30 amended and reenacted as follows:

1       **54-09-11. Fees.**

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

28       **SECTION 8. EXEMPTION - TECHNOLOGY PROJECT.** The \$3,050,000 general fund  
29       appropriation for the technology project in the operating expenses line item in subdivision 1 of  
30       section 1 of chapter 36 of the 2015 Session Laws is not subject to the provisions of section

1 54-44.1-11. Any unexpended funds from this appropriation may continue and be expended  
2 during the biennium beginning July 1, 2019, and ending June 30, 2021.

3 **SECTION 9. EMERGENCY.** The election reform line in section 1, section 3, and section 4  
4 of this Act are declared to be an emergency measure.