

Sixty-first
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1002

Introduced by

Appropriations Committee

(At the request of the Governor)

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 provide for a transfer; to provide legislative intent; and
3 to amend and reenact sections 16.1-01-15 and 54-09-05 of the North Dakota Century Code,
4 relating to interest earnings on the election fund and the salary of the secretary of state.

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

6 **SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the
7 funds as may be necessary, are appropriated out of any moneys in the general fund in the state
8 treasury, not otherwise appropriated, and from special funds derived from federal funds and
9 other income, to the secretary of state for the purpose of defraying the expenses of the
10 secretary of state and public printing, for the biennium beginning July 1, 2009, and ending
11 June 30, 2011, as follows:

12 Subdivision 1.

SECRETARY OF STATE			
		Adjustments or	
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
14 Salaries and wages	\$2,634,493	\$453,079	\$3,087,572
17 Operating expenses	2,059,181	1,096,769	3,155,950
18 Petition review	8,000	0	8,000
19 Election reform	5,489,230	2,824,877	8,314,107
20 Bank of North Dakota loan	<u>2,920,000</u>	<u>(2,920,000)</u>	<u>0</u>
21 Total all funds	\$13,110,904	\$1,454,725	\$14,565,629
22 Less estimated income	<u>8,873,865</u>	<u>41,113</u>	<u>8,914,978</u>
23 Total general fund	\$4,237,039	\$1,413,612	\$5,650,651
24 Full-time equivalent positions	27.00	0.00	27.00

Subdivision 2.

SECRETARY OF STATE - PUBLIC PRINTING

Adjustments or

	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
Operating expenses	\$303,500	\$33,500	\$337,000
Total general fund	\$303,500	\$33,500	\$337,000

Subdivision 3.

BILL TOTAL

Adjustments or

	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
Grand total general fund	\$4,540,539	\$1,472,112	\$6,012,651
Grand total special funds	8,873,865	41,113	8,914,978
Grand total all funds	\$13,414,404	\$1,513,225	\$14,927,629

SECTION 2. APPROPRIATION - TRANSFER. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$25,000, which the office of management and budget shall transfer to the secretary of state election fund for imputed interest earnings allocable to the amount of nonfederal funds contained in the election fund, for the biennium beginning July 1, 2009, and ending June 30, 2011.

SECTION 3. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO SIXTY-SECOND LEGISLATIVE ASSEMBLY. The following amounts reflect the one-time funding items approved by the sixtieth legislative assembly for the 2007-09 biennium and the 2009-11 one-time funding items included in the appropriation of section 1 of this Act:

<u>One-Time Funding Description</u>	<u>2007-09</u>	<u>2009-11</u>
Mainframe migration computer project	\$824,153	\$780,000
Transfer to election fund	0	25,000
Total general fund	\$824,153	\$805,000

The 2009-11 one-time funding amounts are not part of the entity's base budget for the 2011-13 biennium. The secretary of state shall report to the appropriations committees of the sixty-second legislative assembly on the use of the one-time funding for the biennium beginning July 1, 2009, and ending June 30, 2011.

1 **SECTION 4. AMENDMENT.** Section 16.1-01-15 of the North Dakota Century Code is
2 amended and reenacted as follows:

3 **16.1-01-15. Secretary of state to establish and maintain an election fund.** The
4 secretary of state shall establish and maintain a fund, known as the election fund, in the state
5 treasury for the purpose of depositing payments and grants made to the state under the
6 provisions of sections 101, 101(c), and 906, and title III of the Help America Vote Act of 2002
7 [Pub. L. 107-252; 116 Stat. 1666; 42 U.S.C. 15301, 42 U.S.C. 15545, 42 U.S.C. 15481-15502],
8 and funds appropriated by the state. The moneys in the election fund and any interest
9 earnings on the election fund must be used for the exclusive purpose of carrying out activities
10 of the Help America Vote Act of 2002 and are subject to chapter 54-16.

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

13 **54-09-05. Salary of secretary of state.** The annual salary of the secretary of state is
14 ~~seventy-six~~ eighty-three thousand five hundred ~~eleven~~ fifty dollars through June 30, ~~2008~~
15 ~~2010~~, and ~~seventy-nine~~ eighty-seven thousand five ~~seven~~ hundred ~~seventy-one~~ twenty-eight
16 dollars thereafter.