

January 31, 2025

Sixty-ninth
Legislative Assembly
of North Dakota

PROPOSED AMENDMENTS TO

HOUSE BILL NO. 1002

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 46-03-11, 46-04-01,
3 46-04-03, 46-04-04, 46-04-10, 46-04-14, 46-04-18, 46-04-19, and 54-09-05 of the North Dakota
4 Century Code, relating to public printing and the salary of the secretary of state; to provide for a
5 transfer; 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 other funds derived from special funds and
10 federal funds, 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, 2025, and ending
12 June 30, 2027, as follows:

SECRETARY OF STATE

13 Subdivision 1.

	Base Level	Adjustments or Enhancements	Appropriation	
14				
15				
16	Salaries and wages	\$6,366,407	\$0	\$6,366,407
17	Operating expenses	4,984,331	0	4,984,331
18	Grants	25,000	0	25,000
19	Petition review	8,000	0	8,000

Sixty-ninth
Legislative Assembly

1	Election reform	4,830,808	0	4,830,808
2	Total all funds	\$16,214,546	\$0	\$16,214,546
3	Less other funds	9,344,171	0	9,344,171
4	Total general fund	\$6,870,375	\$0	\$6,870,375
5	Full-time equivalent positions	35.00	0.00	35.00
6	Salaries and wages	\$6,366,407	\$587,108	\$6,953,515
7	New and vacant FTE pool	0	148,177	148,177
8	Operating expenses	4,984,331	2,171,051	7,155,382
9	Grants	25,000	0	25,000
10	Petition review	8,000	0	8,000
11	Election reform	4,830,808	4,397,006	9,227,814
12	Total all funds	\$16,214,546	\$7,303,342	\$23,517,888
13	Less other funds	9,344,171	4,732,898	14,077,069
14	Total general fund	\$6,870,375	\$2,570,444	\$9,440,819
15	Full-time equivalent positions	35.00	(2.00)	33.00

Subdivision 2.

SECRETARY OF STATE - PUBLIC PRINTING

	Base Level	Adjustments or Enhancements	Appropriation
20	Public printing	\$271,335	\$0
21	Total general fund	\$271,335	\$0
22	Public printing	(\$271,335)	\$0
23	Total general fund	(\$271,335)	\$0

Subdivision 3

TOTAL - SECTION 1

	Base Level	Adjustments or Enhancements	Appropriation
28	Grand total all funds	\$16,485,881	\$0
29	Grand total other funds	9,344,171	0
30	Grand total general fund	\$7,141,710	\$0
31	Grand total all funds	\$7,032,007	\$23,517,888

1	<u>Grand total other funds</u>	<u>9,344,171</u>	<u>4,732,898</u>	<u>14,077,069</u>
2	<u>Grand total general fund</u>	<u>\$7,141,710</u>	<u>\$2,299,109</u>	<u>\$9,440,819</u>

3 **SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO THE**
4 **SEVENTIETH LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time funding
5 items included in the appropriation in section 1 of this Act which are not included in the entity's
6 base budget for the 2027-29 biennium and which the entity shall report to the appropriations
7 committees of the seventieth legislative assembly regarding the use of this funding:

8	<u>One-Time Funding Description</u>		<u>Other Funds</u>
9	Election pollpads and cradle points		\$2,800,000
10	Information technology enhancements		700,000
11	Election security grant		100,359
12	Help America Vote Act		<u>1,000,000</u>
13	Total other funds		\$4,600,359

14 **SECTION 3. NEW AND VACANT FTE POOL - LIMITATION - TRANSFER REQUEST.** The
15 secretary of state may not spend funds appropriated in the new and vacant FTE pool line item
16 in section 1 of this Act, but may request the office of management and budget to transfer funds
17 from the new and vacant FTE pool line item to the salaries and wages line item in accordance
18 with the guidelines and reporting provisions included in House Bill No. 1015, as approved by the
19 sixty-ninth legislative assembly.

20 **SECTION 4. OTHER FUNDS - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND.**
21 The other funds line item in section 1 of this Act includes the sum of \$3,500,000 from the
22 strategic investment and improvements fund for election pollpad and cradle points replacement
23 and information technology system enhancements for the secretary of state.

24 **SECTION 5. TRANSFER - GENERAL FUND - ELECTION FUND.** The office of
25 management and budget may transfer up to \$600,000 from the general fund, appropriated in
26 the election reform line item in section 1 of this Act, to the election fund to match federal funds
27 received by the state, as requested by the secretary of state, during the biennium beginning
28 July 1, 2025, and ending June 30, 2027.

29 **SECTION 6. AMENDMENT.** Section 46-03-11 of the North Dakota Century Code is
30 amended and reenacted as follows:

1 **46-03-11. Publication of session laws and pocket supplements.**

2 The ~~secretary of state and the~~ legislative council shall correct ministerial or clerical errors
3 and supervise the publication of the session laws and pocket part supplements to this code in a
4 manner and form prescribed by the legislative council, correlating each year's laws with this
5 code.

6 **SECTION 7. AMENDMENT.** Section 46-04-01 of the North Dakota Century Code is
7 amended and reenacted as follows:

8 **46-04-01. Official distribution of state laws - ~~Secretary of state~~ Legislative council to**
9 **control.**

10 Each member of the legislative assembly ~~and each~~, constitutional officer of the state, and
11 ~~each~~ judge of the supreme and district courts for the use of their respective offices and
12 departments is entitled to receive from the state a copy of any publication of the laws of the
13 state and of any compilation or codification ~~thereof~~ of the laws of the state published under
14 authority of the state. The district court in every county in the state is entitled to a copy of
15 ~~such~~ the publications. The codification of laws of the state received by each member of the
16 legislative assembly is subject to section 54-03-23. The ~~secretary of state~~ legislative council
17 shall designate other offices and agencies of the state that are entitled to receive copies of ~~any~~
18 ~~such~~ a publication of the laws for the use of ~~such~~ the state offices and agencies and also shall
19 determine the number of copies of any publication to be received by any recipient in a
20 distribution under the provisions of this section, if more than one copy is needed by ~~such~~ the
21 recipient for official use. All agencies that are funded entirely from special state funds or federal
22 funds must be charged for the actual cost of each copy of ~~such~~ the publications that the agency
23 requests.

24 **SECTION 8. AMENDMENT.** Section 46-04-03 of the North Dakota Century Code is
25 amended and reenacted as follows:

26 **46-04-03. Distribution of session laws, compilations, and codifications by ~~secretary~~**
27 **~~of state~~ legislative council.**

28 The ~~secretary of state, as soon as conveniently can be done after~~ legislative council shall
29 distribute as provided in sections 46-04-01 and 46-04-02 the publication of any session laws,
30 compilations, or codifications, ~~shall cause copies thereof to be distributed as provided in~~
31 ~~sections 46-04-01 and 46-04-02~~ and copies of those documents, as soon as practicable. The

1 ~~secretary of state, in addition,~~ legislative council shall furnish to the legislative assembly ~~such-~~
2 additional copies as ~~are~~ necessary upon resolution of the respective branches or committees
3 ~~thereof~~ of the legislative assembly and shall furnish to each member of the legislative assembly,
4 upon ~~demand therefor~~ request, ~~such~~ current volumes of laws ~~as have not been~~ obtained by the
5 member through service in previous sessions.

6 **SECTION 9. AMENDMENT.** Section 46-04-04 of the North Dakota Century Code is
7 amended and reenacted as follows:

8 **46-04-04. Session laws, compilations, and codifications remain property of state.**

9 Except as otherwise provided by law, each copy of laws, compilations, or codifications
10 furnished to any officer, department, or agency of the state, or to the legislative assembly, its
11 officers, or committees is ~~and must remain~~ the property of the state and must be surrendered to
12 the ~~secretary of state~~ legislative council or to the recipient's successor in office.

13 **SECTION 10. AMENDMENT.** Section 46-04-10 of the North Dakota Century Code is
14 amended and reenacted as follows:

15 **46-04-10. Duties of ~~secretary of state~~ legislative council - Exchange of laws with other**
16 **states.**

17 The ~~secretary of state~~ legislative council may distribute copies of all laws passed by each
18 legislative assembly and all compilations or codifications of ~~the same, whenever it seems-~~
19 ~~desirable~~ laws passed by each legislative assembly:

- 20 1. In exchange for like publications of other states.
- 21 2. To replace copies lost or damaged in official use.
- 22 3. To provide copies as needed to state officers, boards, commissions, institutions, or
23 agencies of the state.
- 24 4. To provide copies as needed to the national conference of commissioners on uniform
25 state laws.

26 **SECTION 11. AMENDMENT.** Section 46-04-14 of the North Dakota Century Code is
27 amended and reenacted as follows:

28 **46-04-14. ~~Secretary of state~~ Legislative council to forward laws to counties.**

29 As soon as the laws of each session of the legislative assembly are printed and ready for
30 distribution, the ~~secretary of state~~ legislative council shall forward ~~those~~ the laws to which each
31 county is entitled to the county auditor of the county.

1 **SECTION 12. AMENDMENT.** Section 46-04-18 of the North Dakota Century Code is
2 amended and reenacted as follows:

3 **46-04-18. ~~Secretary of state~~ Legislative council to sell certain laws.**

4 During the biennium immediately after publication, the ~~secretary of state~~ legislative council
5 ~~must~~ shall sell copies of the session laws for the cost of publication and handling plus ten
6 percent. In subsequent bienniums, the ~~secretary of state~~ legislative council may determine and
7 set a price for the copies of the session laws not sold in the biennium immediately after their
8 publication. The price set should maximize the recovery of the cost of publication and handling
9 and minimize the number of volumes subject to disposal under section 46-04-19. All moneys
10 received under ~~the provisions of~~ this section must be paid ~~over~~ to the state treasurer and
11 credited to the general fund.

12 **SECTION 13. AMENDMENT.** Section 46-04-19 of the North Dakota Century Code is
13 amended and reenacted as follows:

14 **46-04-19. ~~Secretary of state~~ Legislative council may dispose of laws.**

15 The ~~secretary of state~~ legislative council may dispose of all volumes of the laws that are ten
16 or more years old, except one volume of each ~~that~~ which must be retained for historical
17 purposes.

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

20 **54-09-05. Salary of secretary of state.**

21 The annual salary of the secretary of state is ~~one hundred thirty thousand dollars through~~
22 ~~June 30, 2024, and one hundred thirty-five thousand two hundred dollars~~ one hundred
23 thirty-nine thousand two hundred fifty-six dollars though June 30, 2026, and one hundred
24 forty-three thousand four hundred thirty-four dollars thereafter.

25 **SECTION 15. EXEMPTION - STATE FISCAL RECOVERY FUND.** The amount of
26 \$6,000,000 appropriated from federal funds derived from the state fiscal recovery fund for the
27 purposes of an election management system and to upgrade FirstStop in section 1 of
28 chapter 34 of the 2023 Session Laws is not subject to section 54-44.1-11 and any unexpended
29 funds from these projects are available to the secretary of state for costs relating to an election
30 management system and to upgrade FirstStop during the biennium beginning July 1, 2025, and
31 ending June 30, 2027.

1 **SECTION 16. EXEMPTION - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND.**
2 The amount of \$1,500,000 appropriated from the strategic investment and improvements fund
3 for the purposes of a new campaign system, contracted website redesign, and information
4 technology enhancements in section 1 of chapter 34 of the 2023 Session Laws is not subject to
5 section 54-44.1-11 and any unexpended funds from these projects are available to the secretary
6 of state for costs relating to a new campaign system, contracted website redesign, and
7 information technology enhancements during the biennium beginning July 1, 2025, and ending
8 June 30, 2027.