

**FIRST ENGROSSMENT  
with Senate Amendments**

Fifty-ninth  
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 an exemption; to define matching requirements  
3 for the Help America Vote Act; to amend and reenact sections 54-09-05 and 54-09-08 of the  
4 North Dakota Century Code, relating to the salary of the secretary of state and the secretary of  
5 state's general services operating fund; and to declare an emergency.

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

7 **SECTION 1. BASE LEVEL FUNDING INFORMATION.** The amounts identified in this  
8 section represent the base level funding component appropriated to the secretary of state in  
9 section 3 of this Act as follows:

10 Subdivision 1.

|    |                                    |                  |
|----|------------------------------------|------------------|
| 11 | SECRETARY OF STATE                 |                  |
| 12 | Salaries and wages                 | \$2,153,618      |
| 13 | Operating expenses                 | 2,025,589        |
| 14 | Petition review                    | 8,000            |
| 15 | Election reform                    | <u>9,500,000</u> |
| 16 | Total all funds - Base level       | \$13,687,207     |
| 17 | Less estimated income - Base level | <u>9,880,363</u> |
| 18 | Total general fund - Base level    | \$3,806,844      |

19 Subdivision 2.

|    |                                      |                  |
|----|--------------------------------------|------------------|
| 20 | SECRETARY OF STATE - PUBLIC PRINTING |                  |
| 21 | Operating expenses                   | <u>\$336,000</u> |
| 22 | Total general fund - Base level      | \$336,000        |
| 23 | Total general fund - Section 1       | \$4,142,844      |

|   |                                 |              |
|---|---------------------------------|--------------|
| 1 | Total special funds - Section 1 | \$9,880,363  |
| 2 | Total all funds - Section 1     | \$14,023,207 |

3           **SECTION 2. FUNDING ADJUSTMENTS OR ENHANCEMENTS INFORMATION.** The  
4 amounts identified in this section represent the funding adjustments or enhancements to the  
5 base funding level for the secretary of state which are included in the appropriation in section 3  
6 of this Act as follows:

7           Subdivision 1.

|    |  |               |
|----|--|---------------|
| 8  | SECRETARY OF STATE                               |               |
| 9  | Salaries and wages                               | \$130,493     |
| 10 | Operating expenses                               | 50,472        |
| 11 | Capital assets                                   | 15,000        |
| 12 | Election reform                                  | <u>79,728</u> |
| 13 | Total all funds - Adjustments/enhancements       | \$275,693     |
| 14 | Less estimated income - Adjustments/enhancements | <u>63,253</u> |
| 15 | Total general fund - Adjustments/enhancements    | \$212,440     |

16          Subdivision 2.

|    |   |                  |
|----|---|------------------|
| 17 | SECRETARY OF STATE - PUBLIC PRINTING          |                  |
| 18 | Operating expenses                            | <u>(\$9,000)</u> |
| 19 | Total general fund - Adjustments/enhancements | <u>(\$9,000)</u> |
| 20 | Total general fund - Section 2                | \$203,440        |
| 21 | Total special funds - Section 2               | \$63,253         |
| 22 | Total all funds - Section 2                   | \$266,693        |

23           **SECTION 3. APPROPRIATION.** The funds provided in this section, or so much of the  
24 funds as may be necessary, are appropriated out of any moneys in the general fund in the state  
25 treasury, not otherwise appropriated, and from special funds derived from federal funds and  
26 other income, to the secretary of state for the purpose of defraying the expenses of the  
27 secretary of state and public printing, for the biennium beginning July 1, 2005, and ending  
28 June 30, 2007, as follows:

29          Subdivision 1.

|    |                    |  |
|----|--------------------|--|
| 30 | SECRETARY OF STATE |  |
|----|--------------------|--|

Fifty-ninth  
Legislative Assembly

|    |   |                  |
|----|---|------------------|
| 1  | Salaries and wages                                  | \$2,284,111      |
| 2  | Operating expenses                                  | 2,076,061        |
| 3  | Capital assets                                      | 15,000           |
| 4  | Petition review                                     | 8,000            |
| 5  | Election reform                                     | <u>9,579,728</u> |
| 6  | Total all funds                                     | \$13,962,900     |
| 7  | Less estimated income                               | <u>9,943,616</u> |
| 8  | Total general fund appropriation                    | \$4,019,284      |
| 9  | Subdivision 2.                                      |                  |
| 10 | SECRETARY OF STATE - PUBLIC PRINTING                |                  |
| 11 | Operating expenses                                  | <u>\$327,000</u> |
| 12 | Total general fund appropriation                    | \$327,000        |
| 13 | Grand total general fund appropriation - H.B. 1002  | \$4,346,284      |
| 14 | Grand total special funds appropriation - H.B. 1002 | \$9,943,616      |
| 15 | Grand total all funds appropriation - H.B. 1002     | \$14,289,900     |

16           **SECTION 4. COLLECTIONS FROM COUNTIES - GENERAL FUND REVENUE.** The  
17 secretary of state shall collect \$76,100 from counties to reimburse the general fund for a portion  
18 of the state matching requirement provided for federal election reform funds for the biennium  
19 beginning July 1, 2005, and ending June 30, 2007. All funds collected by the secretary of state  
20 under this section must be deposited in the general fund.

21           **SECTION 5. EXEMPTION.** The appropriation contained in subdivision 1 of section 1 of  
22 chapter 2 of the 2001 Session Laws is not subject to the provisions of section 54-44.1-11 for an  
23 amount of up to \$105,000, and this amount may be used as state matching funds for federal  
24 election reform funding available to the state, for the biennium beginning July 1, 2005, and  
25 ending June 30, 2007.

26           **SECTION 6. AMENDMENT.** Section 54-09-05 of the North Dakota Century Code is  
27 amended and reenacted as follows:

28           **54-09-05. Salary of secretary of state.** The annual salary of the secretary of state is  
29 ~~sixty four thousand seven hundred forty two dollars through December 31, 2001, sixty six~~  
30 ~~seventy thousand six hundred eighty four~~ fifty-nine dollars through June 30, ~~2002~~ 2006, and  
31 ~~sixty eight~~ seventy-two thousand ~~eighteen~~ eight hundred ~~sixty-one~~ dollars thereafter.

1           **SECTION 7. AMENDMENT.** Section 54-09-08 of the North Dakota Century Code is  
2 amended and reenacted as follows:

3           **54-09-08. Secretary of state's general services operating fund.** The secretary of  
4 state's general services operating fund is a special fund in the state treasury. Moneys in the  
5 fund are to be used pursuant to legislative appropriations for the provision of services under  
6 section 16.1-02-15, subsection 6 of section 41-09-94, subsection 9 of section 54-09-04, and  
7 sections 54-09-10 and 54-09-11. At the close of each ~~fiscal year~~ biennium, the secretary of  
8 state shall transfer any unobligated balance remaining in the fund exceeding seventy-five  
9 thousand dollars to the general fund.

10           **SECTION 8. EMERGENCY.** The election reform line item in subdivision 1 of section 3  
11 and section 5 of this Act are declared to be an emergency measure.