

**FIRST ENGROSSMENT  
with Conference Committee 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	
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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 or make available \$76,100 from other  
18 sources, including savings from other areas within the secretary of state's budget to reimburse  
19 the general fund for a portion of the state matching requirement provided for federal election  
20 reform funds for the biennium beginning July 1, 2005, and ending June 30, 2007. All funds  
21 collected or made available by the secretary of state under this section must be deposited in  
22 the general fund or if made available from general fund budget savings of the secretary of  
23 state, be returned to the general fund as unspent general fund appropriation authority for the  
24 2005-07 biennium.

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

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

1           **54-09-05. Salary of secretary of state.** The annual salary of the secretary of state is  
2 ~~sixty four thousand seven hundred forty two dollars through December 31, 2001, sixty six~~  
3 ~~seventy thousand six hundred eighty four~~ fifty-nine dollars through June 30, ~~2002~~ 2006, and  
4 ~~sixty eight~~ seventy-two thousand ~~eighteen~~ eight hundred sixty-one dollars thereafter.

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

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

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