

**FIRST ENGROSSMENT  
with Senate Amendments  
ENGROSSED 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 provide an exemption; to amend and reenact sections  
3 54-09-04 and 54-09-12 of the North Dakota Century Code, relating to information preparation  
4 fees and confidential information in filed records; and to provide a statement of legislative intent.

**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 funds  
7 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, 2017, and ending  
11 June 30, 2019, as follows:

## Subdivision 1.

## SECRETARY OF STATE

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>	
14				
15				
16	Salaries and wages	\$4,903,514	\$55,866	\$4,959,380
17	Operating expenses	2,053,162	607,856	2,661,018
18	Petition review	8,000	0	8,000
19	Election reform	<u>2,703,535</u>	<u>(1,510,880)</u>	<u>1,192,655</u>
20	Total all funds	\$9,668,211	(\$847,158)	\$8,821,053
21	Less estimated income	<u>3,583,536</u>	<u>(432,558)</u>	<u>3,150,978</u>
22	Total general fund	\$6,084,675	(\$414,600)	\$5,670,075
23	Full-time equivalent positions	34.00	(1.00)	33.00

Subdivision 2.

1	SECRETARY OF STATE - PUBLIC PRINTING		
2			Adjustments or
3		Base Level	Enhancements
			Appropriation
4	Public printing	<u>\$290,045</u>	<u>(\$1,595)</u>
5	Total general fund	\$290,045	(\$1,595)
			\$288,450

6 Subdivision 3.

7	BILL TOTAL		
8			Adjustments or
9		Base Level	Enhancements
			Appropriation
10	Grand total general fund	\$6,374,720	(\$416,195)
11	Grand total special funds	<u>3,583,536</u>	<u>(432,558)</u>
12	Grand total all funds	\$9,958,256	(\$848,753)
			\$9,109,503

13 **SECTION 2. HEALTH INSURANCE INCREASE.** The appropriation in subdivision 1 of  
 14 section 1 of this Act includes the sum of \$87,603, of which \$84,952 is from the general fund, for  
 15 increases in employee health insurance premiums from \$1,130 to \$1,241 per month.

16 **SECTION 3. ONE-TIME FUNDING.** The following amounts reflect the one-time funding  
 17 items approved by the sixty-fourth legislative assembly for the 2015-17 biennium:

18	<u>One-Time Funding Description</u>	<u>2015-17</u>	<u>2017-19</u>
19	Technology project	\$3,050,000	\$0
20	Total general fund	\$3,050,000	\$0

21 **SECTION 4. EXEMPTION - GENERAL SERVICES OPERATING FUND.** Any unexpended  
 22 and unobligated balance remaining in the secretary of state's general services operating fund  
 23 on June 30, 2017, is not subject to the provisions of section 54-09-08, and any unexpended  
 24 funds are available and may be expended by the secretary of state during the biennium  
 25 beginning July 1, 2017, and ending June 30, 2019.

26 **SECTION 5. AMENDMENT.** Subsection 7 of section 54-09-04 of the North Dakota Century  
 27 Code is amended and reenacted as follows:

28 7. For preparing any listing or compilation of any information recorded or filed in the  
 29 office of the secretary of state, ~~an amount established by the secretary of state to~~  
 30 ~~recover the actual cost for assembling and providing the information in the format~~  
 31 ~~requested~~ forty dollars for each record type requested. Unless otherwise agreed to by

1           the secretary of state, the information shall be provided in an electronic format. If  
2           provided in a paper format, an additional fee of fifty cents per page may be charged.

3           **SECTION 6. AMENDMENT.** Section 54-09-12 of the North Dakota Century Code is  
4 amended and reenacted as follows:

5           **54-09-12. Confidential information in filed records.**

6           1. A social security number or federal tax identification number disclosed or contained in  
7           any record filed with the secretary of state is confidential. However, a social security  
8           number or federal tax identification number may be released as authorized in this  
9           section or by other state or federal law.

10          2. The secretary of state shall delete or obscure a social security or federal tax  
11          identification number before a copy of any record is released to the public. A filing-  
12          office or an officer or employee of the filing office~~The secretary of state, or an~~  
13          employee, agent, or contractor of the secretary of state's office, may not be held civilly  
14          or criminally liable for the inadvertent disclosure of a social security or federal tax  
15          identification number if the filer has placed the number in an improper field on the form  
16          prescribed by the secretary of state or the filer submitted a filing other than on the form  
17          prescribed by the secretary of state.

18          3. The secretary of state, or an employee, agent, or contractor of the secretary of state's  
19          office, may release a social security number or federal tax identification number to  
20          another public entity or its agents, employees, or contractors if disclosure is necessary  
21          for the receiving entity to perform its duties and responsibilities. The receiving public  
22          entity and its agents, employees, and contractors shall maintain the confidential status  
23          of the social security number or federal tax identification number.

24          **SECTION 7. LEGISLATIVE INTENT - VOTING SYSTEM AND ELECTRONIC**

25          **POLLBOOKS.** It is the intent of the sixty-fifth legislative assembly that, within the funding  
26 appropriated to the secretary of state for the 2017-19 biennium, the secretary of state, to the  
27 extent possible, purchase equipment necessary for the implementation of a voting system to be  
28 utilized by the secretary of state and county offices in the polling places of the state, and for the  
29 procurement and implementation of electronic pollbooks to be utilized statewide in all polling  
30 places.