

Sixty-sixth  
Legislative Assembly  
of North Dakota

## ENGROSSED SENATE BILL NO. 2002

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 54-09-05, 54-09-08, and  
3 54-09-11 of the North Dakota Century Code, relating to the salary of the secretary of state, the  
4 general services operating fund, and fees charged by the secretary of state; to provide a report  
5 to the legislative assembly; 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 special funds derived from federal funds and  
10 other income, 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, 2019, and ending  
12 June 30, 2021, as follows:

13 Subdivision 1.

SECRETARY OF STATE

		Adjustments or		
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>	
14				
15				
16	Salaries and wages	\$4,652,764	\$296,571	\$4,949,335
17	Operating expenses	2,711,018	298,535	3,009,553
18	Petition review	8,000	0	8,000
19	Election reform	<u>1,192,655</u>	<u>11,607,965</u>	<u>12,800,620</u>
20	Total all funds	\$8,564,437	\$12,203,071	\$20,767,508
21	Less estimated income	<u>3,044,155</u>	<u>12,385,493</u>	<u>15,429,648</u>
22	Total general fund	\$5,520,282	(\$182,422)	\$5,337,860
23	Full-time equivalent positions	32.00	0.00	32.00

1 Subdivision 2.

SECRETARY OF STATE - PUBLIC PRINTING

		Adjustments or	
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
2			
3			
4	Public printing	\$288,450	(\$31,172)
5	Total general fund	\$288,450	(\$31,172)

6 Subdivision 3.

BILL TOTAL

		Adjustments or	
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
7			
8			
9	Grand total general fund	\$5,808,732	(\$213,594)
10	Grand total special funds	3,044,155	12,385,493
11	Grand total all funds	\$8,852,887	\$21,024,786

12 **SECTION 2. ONE-TIME FUNDING - REPORT.** The following amounts reflect the one-time  
 13 funding items approved by the sixty-fifth legislative assembly for the 2017-19 biennium and the  
 14 2019-21 biennium one-time funding items included in the appropriation in section 1 of this Act.

	<u>One-Time Funding Description</u>	<u>2017-19</u>	<u>2019-21</u>
15			
16	Electronic payment processing system	\$194,000	\$0
17	Voting system and e-poll books	0	11,200,000
18	Total special funds	\$194,000	\$11,200,000

19 The 2019-21 biennium one-time funding amounts are not part of the entity's base budget for  
 20 the 2019-21 biennium. The secretary of state shall report to the appropriations committees of  
 21 the sixty-seventh legislative assembly on the use of this one-time funding for the biennium  
 22 beginning July 1, 2019, and ending June 30, 2021.

23 **SECTION 3. ESTIMATED INCOME - STRATEGIC INVESTMENT AND IMPROVEMENTS**  
 24 **FUND - VOTING SYSTEM AND E-POLL BOOKS.** The estimated income line item in section 1  
 25 of this Act includes the sum of \$8,200,000 from the strategic investment and improvements fund  
 26 for the statewide voting system and e-poll book project for the biennium beginning July 1, 2019,  
 27 and ending June 31, 2021.

28 **SECTION 4. AMENDMENT.** Section 54-09-05 of the North Dakota Century Code is  
 29 amended and reenacted as follows:

1       **54-09-05. Salary of secretary of state.**

2       The annual salary of the secretary of state is one hundred ~~two~~seven thousand ~~six~~eight  
3       hundred ~~eighty-nine~~eighty-five dollars through June 30, ~~2016~~2019, and one hundred ~~five~~eleven  
4       thousand ~~seven~~one hundred ~~seventy~~twenty-two dollars thereafter.

5       **SECTION 5. 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.**

8       The secretary of state's general services operating fund is a special fund in the state  
9       treasury. Moneys in the fund are to be used pursuant to legislative appropriations for the  
10      provision of services under section 16.1-02-15, subsection 4 of section 41-09-94, subsection 5  
11      of section 41-09-96, subsection 7 of section 54-09-04, and sections 10-35-33, 54-09-10, and  
12      54-09-11. ~~At the close of each biennium, the secretary of state shall transfer any unobligated-~~  
13      ~~balance remaining in the fund exceeding seventy-five thousand dollars to the general fund.~~

14      **SECTION 6. AMENDMENT.** Section 54-09-11 of the North Dakota Century Code is  
15      amended and reenacted as follows:

16      **54-09-11. Fees.**

- 17      1. The secretary of state shall establish fees for any programming charges specifically  
18      incurred to provide information requested by persons which is related to the central  
19      indexing system and for other services provided through the computerized system.
- 20      2. A fee may not be required for furnishing information on a verbal request pursuant to  
21      subsection 3 of section 54-09-10, and the fee for furnishing a certificate under  
22      subsection 3 of section 54-09-10 is fifteen dollars.
- 23      3. ~~The secretary of state shall establish the fee for furnishing lists from the central-~~  
24      ~~indexing system based on actual costs to produce the lists for distribution~~For  
25      preparing a listing or compilation of any information recorded or filed in the office of the  
26      secretary of state, the secretary of state may charge a fee of forty dollars for each  
27      record requested. The secretary of state shall provide the requested information in an  
28      electronic format, unless the secretary of state agrees to a request to provide the  
29      information in a different format. If the secretary of state provides the requested  
30      information in a paper format, the secretary of state may charge an additional fee of  
31      fifty cents per page.

1           4. Fees collected by the secretary of state under this section, under subsection 4 of  
2           section 41-09-94, and subsection 5 of section 41-09-96, and ~~ten~~twenty dollars from  
3           each filing entered into the central indexing system must be deposited in the secretary  
4           of state's general services operating fund. Fees collected by the secretary of state  
5           under this section ~~must~~may be used for the programming and maintenance of the  
6           ~~central indexing system~~information technology systems administered by the secretary  
7           of state.

8           5. ~~The secretary of state shall pay ten dollars to the county recorder of the county of~~  
9           ~~residence for the first debtor listed on each statement filed pursuant to section~~  
10          ~~35-13-02, 35-17-04, 35-20-16, 35-30-02, 35-31-02, or 41-09-72. The payment must be~~  
11          ~~made monthly from the general fund in the state treasury.~~

12          **SECTION 7. EXEMPTION - TECHNOLOGY PROJECT.** The \$3,050,000 general fund  
13          appropriation for the technology project in the operating expenses line item in subdivision 1 of  
14          section 1 of chapter 36 of the 2015 Session Laws is not subject to the provisions of section  
15          54-44.1-11. Any unexpended funds from this appropriation may continue and be expended  
16          during the biennium beginning July 1, 2019, and ending June 30, 2021.