

**FIRST ENGROSSMENT**

**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; to amend and reenact sections 46-03-11, 46-04-01, 46-04-03, 46-04-04,  
3 46-04-10, 46-04-14, 46-04-18, 46-04-19, and 54-09-05 of the North Dakota Century Code,  
4 relating to public printing and the salary of the secretary of state; to provide for a transfer; and to  
5 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.

		Adjustments or		
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>	
14				
15				
16	Salaries and wages	\$6,366,407	\$587,108	\$6,953,515
17	New and vacant FTE pool	0	148,177	148,177
18	Operating expenses	4,984,331	2,171,051	7,155,382
19	Grants	25,000	0	25,000
20	Petition review	8,000	0	8,000
21	Election reform	<u>4,830,808</u>	<u>4,397,006</u>	<u>9,227,814</u>

Sixty-ninth  
Legislative Assembly

1	Total all funds	\$16,214,546	\$7,303,342	\$23,517,888
2	Less other funds	<u>9,344,171</u>	<u>4,732,898</u>	<u>14,077,069</u>
3	Total general fund	\$6,870,375	\$2,570,444	\$9,440,819
4	Full-time equivalent positions	35.00	(2.00)	33.00

5 Subdivision 2.

6 SECRETARY OF STATE - PUBLIC PRINTING

7			Adjustments or	
8		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
9	Public printing	<u>\$271,335</u>	<u>(\$271,335)</u>	<u>\$0</u>
10	Total general fund	\$271,335	(\$271,335)	\$0

11 Subdivision 3

12 TOTAL - SECTION 1

13			Adjustments or	
14		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
15	Grand total all funds	\$16,485,881	\$7,032,007	\$23,517,888
16	Grand total other funds	<u>9,344,171</u>	<u>4,732,898</u>	<u>14,077,069</u>
17	Grand total general fund	\$7,141,710	\$2,299,109	\$9,440,819

18 **SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO THE**

19 **SEVENTIETH LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time funding  
 20 items included in the appropriation in section 1 of this Act which are not included in the entity's  
 21 base budget for the 2027-29 biennium and which the entity shall report to the appropriations  
 22 committees of the seventieth legislative assembly regarding the use of this funding:

23	<u>One-Time Funding Description</u>		<u>Other Funds</u>
24	Election pollpads and cradle points		\$2,800,000
25	Information technology enhancements		700,000
26	Election security grant		100,359
27	Help America Vote Act		<u>1,000,000</u>
28	Total other funds		\$4,600,359

29 **SECTION 3. NEW AND VACANT FTE POOL - LIMITATION - TRANSFER REQUEST.** The

30 secretary of state may not spend funds appropriated in the new and vacant FTE pool line item  
 31 in section 1 of this Act, but may request the office of management and budget to transfer funds

1 from the new and vacant FTE pool line item to the salaries and wages line item in accordance  
2 with the guidelines and reporting provisions included in House Bill No. 1015, as approved by the  
3 sixty-ninth legislative assembly.

4 **SECTION 4. OTHER FUNDS - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND.**

5 The other funds line item in section 1 of this Act includes the sum of \$3,500,000 from the  
6 strategic investment and improvements fund for election pollpad and cradle points replacement  
7 and information technology system enhancements for the secretary of state.

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

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

15 **46-03-11. Publication of session laws and pocket supplements.**

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

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

22 **46-04-01. Official distribution of state laws - ~~Secretary of state~~Legislative council to**  
23 **control.**

24 Each member of the legislative assembly ~~and each~~ constitutional officer of the state, and  
25 each judge of the supreme and district courts for the use of their respective offices and  
26 departments is entitled to receive from the state a copy of any publication of the laws of the  
27 state and of any compilation or codification ~~thereof~~ of the laws of the state published under  
28 authority of the state. The district court in every county in the state is entitled to a copy of  
29 ~~such~~ the publications. The codification of laws of the state received by each member of the  
30 legislative assembly is subject to section 54-03-23. The ~~secretary of state~~ legislative council  
31 shall designate other offices and agencies of the state that are entitled to receive copies of any

1 ~~such~~ publication of the laws for the use of ~~such~~the state offices and agencies and also shall  
2 determine the number of copies of any publication to be received by any recipient in a  
3 distribution under the provisions of this section, if more than one copy is needed by ~~such~~the  
4 recipient for official use. All agencies that are funded entirely from special state funds or federal  
5 funds must be charged for the actual cost of each copy of ~~such~~the publications that the agency  
6 requests.

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

9 **46-04-03. Distribution of session laws, compilations, and codifications by ~~secretary~~**  
10 **~~of state~~legislative council.**

11 ~~The secretary of state, as soon as conveniently can be done after~~legislative council shall  
12 distribute as provided in sections 46-04-01 and 46-04-02 the publication of any session laws,  
13 compilations, or codifications, ~~shall cause copies thereof to be distributed as provided in~~  
14 ~~sections 46-04-01 and 46-04-02~~and copies of those documents, as soon as practicable. The  
15 ~~secretary of state, in addition,~~legislative council shall furnish to the legislative assembly ~~such~~  
16 additional copies as are necessary upon resolution of the respective branches or committees  
17 ~~thereof~~of the legislative assembly and shall furnish to each member of the legislative assembly,  
18 upon ~~demand therefor~~request, ~~such~~ current volumes of laws as ~~have not been obtained by the~~  
19 member through service in previous sessions.

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

22 **46-04-04. Session laws, compilations, and codifications remain property of state.**

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

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

1        **46-04-10. Duties of ~~secretary of state~~legislative council - Exchange of laws with other**  
2 **states.**

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

- 6        1. In exchange for like publications of other states.
- 7        2. To replace copies lost or damaged in official use.
- 8        3. To provide copies as needed to state officers, boards, commissions, institutions, or  
9        agencies of the state.
- 10       4. To provide copies as needed to the national conference of commissioners on uniform  
11       state laws.

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

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

15       As soon as the laws of each session of the legislative assembly are printed and ready for  
16 distribution, the ~~secretary of state~~legislative council shall forward ~~these~~the laws to which each  
17 county is entitled to the county auditor of the county.

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

20       **46-04-18. ~~Secretary of state~~Legislative council to sell certain laws.**

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

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

1        **46-04-19. Secretary of state Legislative council may dispose of laws.**

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

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

7        **54-09-05. Salary of secretary of state.**

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

12        **SECTION 15. EXEMPTION - STATE FISCAL RECOVERY FUND.** The amount of  
13 \$6,000,000 appropriated from federal funds derived from the state fiscal recovery fund for the  
14 purposes of an election management system and to upgrade FirstStop in section 1 of  
15 chapter 34 of the 2023 Session Laws is not subject to section 54-44.1-11 and any unexpended  
16 funds from these projects are available to the secretary of state for costs relating to an election  
17 management system and to upgrade FirstStop during the biennium beginning July 1, 2025, and  
18 ending June 30, 2027.

19        **SECTION 16. EXEMPTION - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND.**

20        The amount of \$1,500,000 appropriated from the strategic investment and improvements fund  
21 for the purposes of a new campaign system, contracted website redesign, and information  
22 technology enhancements in section 1 of chapter 34 of the 2023 Session Laws is not subject to  
23 section 54-44.1-11 and any unexpended funds from these projects are available to the secretary  
24 of state for costs relating to a new campaign system, contracted website redesign, and  
25 information technology enhancements during the biennium beginning July 1, 2025, and ending  
26 June 30, 2027.