

**Fifty-fifth Legislative Assembly, State of North Dakota, begun in the
Capitol in the City of Bismarck, on Monday, the sixth day of January,
one thousand nine hundred and ninety-seven**

HOUSE BILL NO. 1008
(Appropriations Committee)
(At the request of the Governor)

AN ACT to provide an appropriation for defraying the expenses of the public service commission; and to amend and reenact sections 49-01-05 and 60-02-07 of the North Dakota Century Code, relating to the salary of public service commissioners and public warehouse licenses.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. APPROPRIATION. The funds provided in this section, or so much of the funds as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds, to the public service commission for the purpose of defraying the expenses of the public service commission, for the biennium beginning July 1, 1997, and ending June 30, 1999, as follows:

Salaries and wages	\$4,315,991
Operating expenses	1,068,765
Equipment	58,711
Grants	6,000
AML contractual services	<u>3,668,492</u>
Total all funds	\$9,117,959
Less estimated income	<u>5,781,190</u>
Total general fund appropriation	\$3,336,769

SECTION 2. AMENDMENT. Section 49-01-05 of the 1995 Supplement to the North Dakota Century Code is amended and reenacted as follows:

49-01-05. Salary of commissioners. The annual salary of a commissioner is ~~fifty-two~~ fifty-five thousand ~~seven~~ four hundred ~~eighty-seven~~ sixty-four dollars through June 30, ~~1996~~ 1998, and ~~fifty-three~~ fifty-seven thousand ~~eight~~ one hundred ~~forty-three~~ twenty dollars thereafter. All fees received or charged by any ~~such~~ commissioner for any act or service rendered in any official capacity, ~~shall~~ must be accounted for and paid over by the commissioner monthly to the state treasurer and ~~shall~~ must be credited to the general fund of the state.

SECTION 3. AMENDMENT. Section 60-02-07 of the North Dakota Century Code is amended and reenacted as follows:

60-02-07. Public warehouse license - How obtained - Fee. An annual license must be obtained from the commission for each public warehouse in operation in this state. The license expires on July thirty-first of each year. No license may describe more than one public warehouse nor grant permission to operate any public warehouse other than the one described. The annual license fee for a public warehouse is ~~one~~ two hundred fifty dollars for a warehouse of a bushel capacity of two hundred thousand [7047.8 cubic meters] or less, ~~three~~ four hundred dollars for a warehouse of a bushel capacity of more than two hundred thousand and ~~one to and including~~ not more than five hundred thousand [7047.83 7047.8 to and including not more than 17619.54 cubic meters], and ~~four~~ five hundred dollars for a warehouse of a bushel capacity of more than five hundred thousand and ~~one~~ [47619.57 17619.54 cubic meters] ~~or more~~. If a public warehouseman operates two or more warehouses in the same city or siding, in conjunction with each other and with the same working force, and ~~where but~~ keeps one set of books and records ~~is kept~~ for all such warehouses, and issues one series of scale tickets, warehouse receipts, checks, and credit-sale contracts ~~of but one series are issued~~ for the grain stored and purchased therein, only one license is required for the operation of all such warehouses. Where two or more warehouses are operated under one license, the license fee is based upon the combined bushel

capacity of the warehouses. If the commission employs fewer than two full-time equivalent warehouse inspectors, each annual fee under this section is reduced by one hundred dollars.

Speaker of the House

President of the Senate

Chief Clerk of the House

Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Fifty-fifth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1008.

House Vote: Yeas 67 Nays 22 Absent 8

Senate Vote: Yeas 42 Nays 3 Absent 4

Chief Clerk of the House

Received by the Governor at _____ M. on _____, 1997.

Approved at _____ M. on _____, 1997.

Governor

Filed in this office this _____ day of _____, 1997,

at _____ o'clock _____ M.

Secretary of State