

**FIRST ENGROSSMENT  
with Conference Committee Amendments****ENGROSSED SENATE BILL NO. 2008**

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 public service  
2 commission; and to amend and reenact section 49-01-05 and subsection 3 of section 49-21-01  
3 of the North Dakota Century Code, relating to the salary of public service commissioners and  
4 the definition of an essential telecommunications service.

**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  
7 funds as may be necessary, are hereby appropriated out of any moneys in the general fund in  
8 the state treasury, not otherwise appropriated, and from special funds derived from federal  
9 funds and other income, to the public service commission for the purpose of defraying the  
10 expenses of the public service commission, for the biennium beginning July 1, 1999, and  
11 ending June 30, 2001, as follows:

12 Salaries and wages	\$4,383,989
13 Operating expenses	1,054,694
14 Equipment	71,311
15 Grants	6,000
16 AML contractual services	<u>3,668,492</u>
17 Total all funds	\$9,184,486
18 Less estimated income	<u>5,663,045</u>
19 Total general fund appropriation	\$3,521,441

20 **SECTION 2. AMENDMENT.** Section 49-01-05 of the 1997 Supplement to the North  
21 Dakota Century Code is amended and reenacted as follows:

22 **49-01-05. Salary of commissioners.** The annual salary of a commissioner is ~~fifty-five~~  
23 fifty-eight thousand four hundred sixty-four ~~sixty-two~~ dollars through June 30, ~~1998~~ 2000,  
24 fifty-nine thousand four hundred twenty-eight dollars through December 31, 2000, and

1 ~~fifty-seven~~ sixty-four thousand ~~one~~ five hundred ~~twenty~~ sixty-nine dollars thereafter. All fees  
2 received or charged by any commissioner for any act or service rendered in any official  
3 capacity, must be accounted for and paid over by the commissioner monthly to the state  
4 treasurer and must be credited to the general fund of the state.

5 **SECTION 3. AMENDMENT.** Subsection 3 of section 49-21-01 of the 1997  
6 Supplement to the North Dakota Century Code is amended and reenacted as follows:

- 7 3. "Essential telecommunications service" means service that is necessary for  
8 switched access to interexchange telecommunications companies and necessary  
9 for two-way switched communications for both residential and business service  
10 within a local exchange area. A charge based on measured service may not be  
11 required for residential and business local exchange service. Essential  
12 telecommunications services are limited to:
- 13 a. Switched access;
  - 14 b. Any new product or service offered in North Dakota after July 1, 1989,  
15 deemed essential by the commission after notice and hearing in accordance  
16 with chapter 28-32;
  - 17 c. Billing and collection of the billing company's own essential  
18 telecommunications services and billing and collection recording for  
19 interexchange carriers to which the local exchange carrier provides feature  
20 group C access service;
  - 21 d. Primary directory listing, including nonlisted and nonpublished service, and  
22 ~~local exchange~~ access to directory assistance;
  - 23 e. Emergency 911 services and emergency operator assistance in local  
24 exchange areas in which emergency 911 service is not available;
  - 25 f. Except as provided in section 49-02-01.1, mandatory, flat-rate extended area  
26 service to designated nearby local exchange areas;
  - 27 g. Installation of the service connection for essential services from the end  
28 user's premises to the local exchange network;
  - 29 h. Transmission service necessary for the connection between the end user's  
30 premises and the local exchange central office switch including a trunk  
31 connection that has direct inward dialing and necessary signaling service

- 1                   such as touchtone used by end users for essential telecommunications
- 2                   services;
- 3           i.   Single or multiparty flat-rate or measured residence and business service;
- 4           j.   Single or multiparty flat-rate or measured combination business and
- 5               residence service; and
- 6           k.   The transmission service line for a coin or pay telephone.