

**HOUSE BILL NO. 1052  
with Senate Amendments**

Fifty-eighth  
Legislative Assembly  
of North Dakota

**HOUSE BILL NO. 1052**

Introduced by

Legislative Council

(Regulatory Reform Review Commission)

1 A BILL for an Act to create and enact a new section to chapter 49-21 of the North Dakota  
2 Century Code, relating to a performance assurance plan by the public service commission; to  
3 provide a continuing appropriation; to provide an expiration date; and to declare an emergency.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1.** A new section to chapter 49-21 of the North Dakota Century Code is  
6 created and enacted as follows:

7 **Performance assurance fund - Continuing appropriation - Report to budget**

8 **section.** The performance assurance fund is a special fund in the state treasury. The  
9 commission shall deposit payments received by the commission under the performance  
10 assurance plan in the performance assurance fund until deposits during a biennium equal one  
11 hundred thousand dollars. All moneys deposited in the fund are appropriated on a continuing  
12 basis to the commission to monitor the operation and effect of the performance assurance plan.  
13 All the payments received by the commission in excess of the one hundred thousand dollars  
14 deposited in the performance assurance fund must be deposited in the general fund. The  
15 commission shall report annually to the budget section of the legislative council with respect to  
16 the payments received under the plan and the expenditures from the performance assurance  
17 fund.

18 **SECTION 2. EXPIRATION DATE.** This Act is effective through June 30, 2005, and  
19 after that date is ineffective.

20 **SECTION 3. EMERGENCY.** This Act is declared to be an emergency measure.