

Sixty-fifth
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1068

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; to amend and reenact sections 49-01-05 and 57-43.2-19 of the North Dakota
3 Century Code, relating to the salary of public service commissioners and the special fuels
4 excise taxes distribution of funds; and to authorize a transfer.

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

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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 public service commission for the purpose of defraying the expenses of
11 that agency, for the biennium beginning July 1, 2017, and ending June 30, 2019, as follows:

12			Adjustments or	
13		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
14	Salaries and wages	\$9,643,095	(\$204,262)	\$9,438,833
15	Operating expenses	1,877,562	(25,864)	1,851,698
16	Capital assets	26,400	0	26,400
17	Grants	20,000	0	20,000
18	Abandoned mined lands contractual	8,000,000	(2,000,000)	6,000,000
19	Rail rate complaint case	900,000	0	900,000
20	Railroad safety program	523,345	43,764	567,109
21	Specialized legal services	<u>150,000</u>	<u>580,000</u>	<u>730,000</u>
22	Total all funds	\$21,140,402	(\$1,606,362)	\$19,534,040
23	Less estimated income	<u>13,964,575</u>	<u>(1,322,312)</u>	<u>12,642,263</u>

1	Total general fund	\$7,175,827	(\$284,050)	\$6,891,777
2	Full-time equivalent positions	46.00	(1.00)	45.00

3 **SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO SIXTY-**

4 **SIXTH LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time funding items
5 approved by the sixty-fourth legislative assembly for the 2015-17 biennium and the 2017-19
6 one-time funding items included in the appropriation in section 1 of this Act:

7	<u>One-Time Funding Description</u>	<u>2015-17</u>	<u>2017-19</u>
8	Specialized legal services	\$575,624	\$636,000
9	Total all funds	\$575,624	\$636,000
10	Total special funds	336,000	636,000
11	Total general fund	\$239,624	\$0

12 The 2017-19 one-time funding amounts are not a part of the entity's base budget for the
13 2019-21 biennium. The public service commission shall report to the appropriations committees
14 of the sixty-sixth legislative assembly on the use of this one-time funding for the biennium
15 beginning July 1, 2017, and ending June 30, 2019.

16 **SECTION 3. SPECIAL FUNDS TRANSFER - STRATEGIC INVESTMENT AND**

17 **IMPROVEMENTS FUND.** The less estimated income line item in section 1 of this Act includes
18 the sum of \$300,000, or so much of the sum as may be necessary, from the strategic
19 investment and improvements fund which may be transferred at the direction of the public
20 service commissioners for specialized legal service costs during the biennium beginning July 1,
21 2017, and ending June 30, 2019.

22 **SECTION 4. AMENDMENT.** Section 49-01-05 of the North Dakota Century Code is
23 amended and reenacted as follows:

24 **49-01-05. Salary of commissioners.**

25 The annual salary of a commissioner is ~~one hundred five thousand four hundred ninety-one~~
26 ~~dollars through June 30, 2016, and one hundred eight thousand six hundred fifty-six dollars~~
27 through June 30, 2018, and one hundred nine thousand seven hundred forty-three dollars
28 thereafter. All fees received or charged by any commissioner for any act or service rendered in
29 any official capacity must be accounted for and paid over by the commissioner monthly to the
30 state treasurer and must be credited to the general fund of the state.

1 **SECTION 5. AMENDMENT.** Section 57-43.2-19 of the North Dakota Century Code is
2 amended and reenacted as follows:

3 **57-43.2-19. (Effective July 1, 2015, through June 30, 2019) Transfer, deposit, and**
4 **distribution of funds.**

5 All taxes, license fees, penalties, and interest collected under this chapter must be
6 transferred to the state treasurer who shall deposit moneys in a highway tax distribution fund,
7 except all special fuels excise taxes collected on sales of diesel fuel to a railroad under section
8 57-43.2-03 of up to two hundred ~~seventy-five~~eighty-five thousand dollars per year must be
9 transferred to the state treasurer who shall deposit the moneys in the rail safety fund. The
10 highway tax distribution fund must be distributed in the manner as prescribed by section
11 54-27-19.

12 **(Effective after June 30, 2019) Transfer, deposit, and distribution of funds.** All taxes,
13 license fees, penalties, and interest collected under this chapter must be transferred to the state
14 treasurer who shall deposit moneys in the highway tax distribution fund. The highway tax
15 distribution fund must be distributed in the manner as prescribed by section 54-27-19.