

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2008

That the House recede from its amendments as printed on pages 871-873 of the Senate Journal and pages 952-954 of the House Journal and that Engrossed Senate Bill No. 2008 be amended as follows:

Page 1, line 2, after "49-01-05" insert "and subsection 3 of section 49-21-01"

Page 1, line 3, after "commissioners" insert "and the definition of essential telecommunications service"

Page 1, line 11, replace "4,389,004" with "4,383,989"

Page 1, line 12, replace "1,067,294" with "1,054,694"

Page 1, line 16, replace "9,202,101" with "9,184,486"

Page 1, line 17, replace "5,633,045" with "5,663,045"

Page 1, line 18, replace "3,569,056" with "3,521,441"

Page 2, after line 3, insert:

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

3. "Essential telecommunications service" means service that is necessary for switched access to interexchange telecommunications companies and necessary for two-way switched communications for both residential and business service within a local exchange area. A charge based on measured service may not be required for residential and business local exchange service. Essential telecommunications services are limited to:
  - a. Switched access;
  - b. Any new product or service offered in North Dakota after July 1, 1989, deemed essential by the commission after notice and hearing in accordance with chapter 28-32;
  - c. Billing and collection of the billing company's own essential telecommunications services and billing and collection recording for interexchange carriers to which the local exchange carrier provides feature group C access service;
  - d. Primary directory listing, including nonlisted and nonpublished service, and ~~local exchange~~ access to directory assistance;
  - e. Emergency 911 services and emergency operator assistance in local exchange areas in which emergency 911 service is not available;
  - f. Except as provided in section 49-02-01.1, mandatory, flat-rate extended area service to designated nearby local exchange areas;

- g. Installation of the service connection for essential services from the end user's premises to the local exchange network;
- h. Transmission service necessary for the connection between the end user's premises and the local exchange central office switch including a trunk connection that has direct inward dialing and necessary signaling service such as touchtone used by end users for essential telecommunications services;
- i. Single or multiparty flat-rate or measured residence and business service;
- j. Single or multiparty flat-rate or measured combination business and residence service; and
- k. The transmission service line for a coin or pay telephone."

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**DEPARTMENT 408 - PUBLIC SERVICE COMMISSION**

CONFERENCE COMMITTEE - This amendment makes the following changes:

	EXECUTIVE BUDGET	SENATE VERSION	CONFERENCE COMMITTEE CHANGES	CONFERENCE COMMITTEE VERSION	HOUSE VERSION	CONFERENCE COMPARISON TO HOUSE VERSION
Salaries and wages	\$4,614,184	\$4,389,004	(\$5,015)	\$4,383,989	\$4,383,989	
Operating expenses	1,074,694	1,067,294	(12,600)	1,054,694	1,054,694	
Equipment	71,311	71,311		71,311	71,311	
Grants	6,000	6,000		6,000	6,000	
AML contractual services	<u>3,668,492</u>	<u>3,668,492</u>		<u>3,668,492</u>	<u>3,668,492</u>	
Total all funds	\$9,434,681	\$9,202,101	(\$17,615)	\$9,184,486	\$9,184,486	\$0
Less special funds	<u>5,640,789</u>	<u>5,633,045</u>	<u>30,000</u>	<u>5,663,045</u>	<u>5,663,045</u>	
General fund	\$3,793,892	\$3,569,056	(\$47,615)	\$3,521,441	\$3,521,441	\$0
FTE	43.00	42.00	0.00	42.00	43.00	(1.00)

Detail of Conference Committee changes to the Senate version includes:

	RESTORE SALARY AND OPERATING FUNDING <sup>1</sup>	REDUCE SALARY FUNDING	REDUCE OPERATING EXPENSES	FUNDING SOURCE CHANGE	TOTAL CONFERENCE COMMITTEE CHANGES
Salaries and wages	\$144,985	(\$150,000) <sup>2</sup>			(\$5,015)
Operating expenses	7,400		(\$20,000) <sup>3</sup>		(12,600)
Equipment					
Grants					
AML contractual services					
Total all funds	\$152,385	(\$150,000)	(\$20,000)	\$0	(\$17,615)
Less special funds				<u>30,000</u> <sup>4</sup>	<u>30,000</u>
General fund	\$152,385	(\$150,000)	(\$20,000)	(\$30,000)	(\$47,615)
FTE	0.00	0.00	0.00	0.00	0.00

Conference Committee changes narrative:

<sup>1</sup> Restores salaries and wages and operating expenses funding removed by the Senate, the same as the House version, except that the Conference Committee did not restore the attorney position removed by the Senate and restored by the House.

<sup>2</sup> Reduces salaries and wages funding. The Public Service Commission may designate the specific areas to reduce within the salaries and wages line item, the same as the House version.

<sup>3</sup> Reduces operating expenses as follows, the same as the House version:

Office supplies	(\$10,000)
Travel	<u>(10,000)</u>
Total	(\$20,000)

<sup>4</sup> Provides for a funding source change of \$117,027 rather than the \$147,027 approved in the executive budget and the Senate version relating to increasing the general fund support for the Public Service Commission as a result of an anticipated reduction in federal administrative cost reimbursements. The House also made this change.

The section added by the House is included which provides that an essential telecommunications service includes access to directory assistance rather than local exchange directory assistance.