

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1148

Page 1, line 2, replace "and" with "to amend and reenact section 49-01-05 of the North Dakota Century Code, relating to the salary of public service commissioners; to provide for a legislative management study;"

Page 1, line 2, after "transfer" insert "; and to declare an emergency"

Page 1, replace lines 12 through 15 with:

"Salaries and wages	\$7,482,074	\$774,551	\$8,256,625
Accrued leave payments	0	168,278	168,278
Operating expenses	1,972,572	4,825	1,977,397
Capital assets	53,000	(1,835)	51,165
Grants	16,000	4,000	20,000"

Page 1, replace lines 18 through 20 with:

"Total all funds	\$18,423,646	\$949,819	\$19,373,465
Less estimated income	<u>12,403,431</u>	<u>591,828</u>	<u>12,995,259</u>
Total general fund	\$6,020,215	\$357,991	\$6,378,206"

Page 2, replace lines 4 through 7 with:

"Federal stimulus funds	\$658,217	\$0
Hydraulic soil probe	<u>0</u>	<u>28,000</u>
Total all funds	\$658,217	\$28,000
Total special funds	<u>658,217</u>	<u>17,920</u>
Total general fund	\$0	\$10,080"

Page 2, after line 11, insert:

**"SECTION 3. AMENDMENT.** Section 49-01-05 of the North Dakota Century Code is amended and reenacted as follows:

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

The annual salary of a commissioner is ~~ninety-two~~ninety-eight thousand ~~eight~~four hundred ~~twenty-six~~seventy-nine dollars through June 30, ~~2012~~2014, and ~~ninety-five~~one hundred ~~one~~ thousand ~~six~~four hundred ~~eleven~~thirty-three dollars thereafter. All fees received or charged by any commissioner for any act or service rendered in any official capacity must be accounted for and paid over by the commissioner monthly to the state treasurer and must be credited to the general fund of the state.

**SECTION 4. LEGISLATIVE MANAGEMENT STUDY.** The legislative management shall consider studying during the 2013-14 interim civil penalties assessed and collected by state agencies, including a review of the funds into which the collections are deposited and the appropriateness of the use of funds collected. The legislative management shall report its findings and recommendations, together

with any legislation required to implement the recommendations, to the sixty-fourth legislative assembly.

**SECTION 5. INFORMATION TECHNOLOGY HARDWARE - TRANSFER TO SECURE DATA CENTER.** The public service commission shall transfer all appropriate information technology hardware to the information technology department secure data center during the biennium beginning July 1, 2013, and ending June 30, 2015."

Page 2, after line 20, insert:

**"SECTION 7. LEGISLATIVE INTENT - GAS PIPELINE SAFETY INSPECTOR.** It is the intent of the legislative assembly that the public service commission proceeds in the hiring process of a gas pipeline safety inspector position that has been repurposed in the commission's 2013-15 biennium budget from the weights and measures program prior to June 30, 2013.

**SECTION 8. EMERGENCY.** This Act is declared to be an emergency measure."

Re-number accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**House Bill No. 1148 - Public Service Commission - House Action**

	Base Budget	House Changes	House Version
Salaries and wages	\$7,482,074	\$774,551	\$8,256,625
Operating expenses	1,972,572	4,825	1,977,397
Capital assets	53,000	(1,835)	51,165
Grants	16,000	4,000	20,000
Abandoned mined lands contractual services	8,000,000		8,000,000
Rail rate complaint case	900,000		900,000
Accrued leave payments		168,278	168,278
Total all funds	\$18,423,646	\$949,819	\$19,373,465
Less estimated income	12,403,431	591,828	12,995,259
General fund	\$6,020,215	\$357,991	\$6,378,206
FTE	43.00	0.00	43.00

**Department No. 408 - Public Service Commission - Detail of House Changes**

	Agency Budget Request Changes <sup>1</sup>	Executive Budget Changes <sup>2</sup>	State Employee Compensation Package <sup>3</sup>	Provides Separate Line Item for Accrued Leave Payments <sup>4</sup>	Adds Funding for Capital Assets <sup>5</sup>	Total House Changes
Salaries and wages	\$258,390	\$271,810	\$412,629	(\$168,278)		\$774,551
Operating expenses		4,825				4,825
Capital assets	(53,000)	28,000			\$23,165	(1,835)
Grants	4,000					4,000
Abandoned mined lands contractual services						
Rail rate complaint case						
Accrued leave payments				168,278		168,278
Total all funds	\$209,390	\$304,635	\$412,629	\$0	\$23,165	\$949,819
Less estimated income	178,757	260,205	152,866			591,828
General fund	\$30,633	\$44,430	\$259,763	\$0	\$23,165	\$357,991
FTE	0.00	0.00	0.00	0.00	0.00	0.00

<sup>1</sup> This amendment incorporates changes made in the **agency budget request**, including:

	FTE	General Fund	Special Funds	Total
Base payroll change		\$83,633	\$174,757	\$258,390
Increase funding for North Dakota geological survey passthrough funds			4,000	4,000
Remove 2011-13 funding for capital assets		(53,000)		(53,000)
Total		\$30,633	\$178,757	\$209,390

<sup>2</sup> This amendment incorporates items recommended in the **executive budget**, including:

	FTE	General Fund	Special Funds	Total
Add one-time funding for hydraulic soil probe		\$10,080	\$17,920	\$28,000
Add funding for 2 FTE positions repurposed for energy impact	2.00	95,601	167,085	262,686
Add funding for increased travel costs		54,956	11,199	66,155
Add funding for legal fees for grain elevator insolvency cases and reclamation/abandoned mined lands lawsuits		86,000	64,000	150,000
Base payroll change	(2.00)	(202,207)	1	(202,206)
Total	0.00	\$44,430	\$260,205	\$304,635

<sup>3</sup> Funding for the state employee compensation package is added providing:

- Performance-based salary increases of from 2 percent to 4 percent each year of the biennium.
- Market equity salary increases of up to 2 percent for employees in the first quartile of their salary range for the first year of the biennium.
- Health insurance premium increase of \$95 per month to provide a total of \$982 per month per employee.

<sup>4</sup> A portion of salaries and wages funding from the general fund (\$105,071) and from other funds (\$63,207) for permanent employees' compensation and benefits is reallocated to an accrued leave payments line item for paying annual leave and sick leave for eligible employees.

<sup>5</sup> Funding is added for information technology equipment over \$5,000 for a hearing room teleconference upgrade (\$8,500) and a standard large format plotter (\$14,665).

This amendment also adds sections to:

- Provide legislative intent and an emergency clause to allow the Public Service Commission to fill the pipeline safety inspector position that was repurposed from a weights and measures position prior to the 2013-15 biennium.
- Provide for a Legislative Management study of civil penalties.
- Require the Public Service Commission to transfer its appropriate information technology hardware to the Information Technology Department secure data center.
- Provide for salary increases for the Public Service Commissioners of 3 percent on July 1, 2013, and 3 percent on July 1, 2014.