

PROPOSED AMENDMENTS TO SENATE BILL NO. 2008

Page 1, line 2, after the semicolon insert "to amend and reenact sections 49-01-05 and 57-43.2-19 of the North Dakota Century Code, relating to the salary of the commissioners and the transfer, deposit, and distribution of funds in the highway tax distribution fund; to provide for a report;"

Page 1, replace lines 10 through 23 with:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and wages	\$9,197,284	\$866,541	\$10,063,825
Operating expenses	1,829,826	54,000	1,883,826
Capital assets	10,000	15,000	25,000
Grants	20,000	0	20,000
Abandoned mined lands contractual	6,000,000	0	6,000,000
Rail rate complaint case	900,000	0	900,000
Railroad safety program	564,668	24,642	589,310
Specialized legal services	<u>94,000</u>	<u>336,000</u>	<u>430,000</u>
Total all funds	\$18,615,778	\$1,296,183	\$19,911,961
Less estimated income	<u>11,985,016</u>	<u>529,658</u>	<u>12,514,674</u>
Total general fund	\$6,630,762	\$766,525	\$7,397,287
Full-time equivalent positions	45.00	1.00	46.00"

Page 2, line 1, after "FUNDING" insert "- **EFFECT ON BASE BUDGET - REPORT TO SIXTY-SEVENTH LEGISLATIVE ASSEMBLY**"

Page 2, line 2, after "biennium" insert "and the 2019-21 biennium one-time funding items included in the appropriation in section 1 of this Act"

Page 2, replace lines 4 through 7 with:

"Specialized legal services	<u>\$436,000</u>	<u>\$336,000</u>
Total all funds	\$436,000	\$336,000
Total special funds	<u>436,000</u>	<u>336,000</u>
Total general fund	\$0	\$0

The 2019-21 biennium one-time funding amounts are not a part of the entity's base budget for the 2021-23 biennium. The public service commission shall report to the appropriations committees of the sixty-seventh legislative assembly on the use of this one-time funding for the biennium beginning July 1, 2019, and ending June 30, 2021."

Page 2, after line 16, insert:

**"SECTION 4. 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 one hundred ~~five~~ten thousand ~~four~~eight hundred ~~ninety-one~~twenty-nine dollars through June 30, ~~2016~~2020, and one hundred

~~eightfourteen~~ thousand ~~sixone~~ hundred ~~fifty-six~~~~fifty-four~~ 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 5. AMENDMENT.** Section 57-43.2-19 of the North Dakota Century Code is amended and reenacted as follows:

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

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

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

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**Senate Bill No. 2008 - Public Service Commission - Senate Action**

	Base Budget	Senate Changes	Senate Version
Salaries and wages	\$9,197,284	\$866,541	\$10,063,825
Operating expenses	1,829,826	54,000	1,883,826
Capital assets	10,000	15,000	25,000
Grants	20,000		20,000
Abandoned mined lands contractual	6,000,000		6,000,000
Rail rate complaint case	900,000		900,000
Railroad safety program	564,668	24,642	589,310
Specialized legal services	94,000	336,000	430,000
Total all funds	\$18,615,778	\$1,296,183	\$19,911,961
Less estimated income	11,985,016	529,658	12,514,674
General fund	\$6,630,762	\$766,525	\$7,397,287
FTE	45.00	1.00	46.00

**Department 408 - Public Service Commission - Detail of Senate Changes**

	<b>Adds Funding for Salary and Benefit Increases<sup>1</sup></b>	<b>Adds Grain Warehouse Inspector Position and Additional Funding<sup>2</sup></b>	<b>Adds Funding for an Accounting Budget Specialist Position<sup>3</sup></b>	<b>Increases Funding for Capital Assets<sup>4</sup></b>	<b>Adds Funding for Specialized Legal Services<sup>5</sup></b>	<b>Total Senate Changes</b>
Salaries and wages	\$455,767	\$245,281	\$165,493			\$866,541
Operating expenses		49,000	5,000			54,000
Capital assets				\$15,000		15,000
Grants						
Abandoned mined lands contractual						
Rail rate complaint case						
Railroad safety program	24,642					24,642
Specialized legal services					\$336,000	336,000
<b>Total all funds</b>	<b>\$480,409</b>	<b>\$294,281</b>	<b>\$170,493</b>	<b>\$15,000</b>	<b>\$336,000</b>	<b>\$1,296,183</b>
Less estimated income	193,658	0	0	0	336,000	529,658
General fund	<u>\$286,751</u>	<u>\$294,281</u>	<u>\$170,493</u>	<u>\$15,000</u>	<u>\$0</u>	<u>\$766,525</u>
FTE	0.00	1.00	0.00	0.00	0.00	1.00

<sup>1</sup> The following funding is added for 2019-21 biennium salary adjustments of 2 percent on July 1, 2019, and 3 percent on July 1, 2020, and increases in health insurance premiums from \$1,241 to \$1,427 per month:

	<b>General Fund</b>	<b>Other Funds</b>	<b>Total</b>
Salary increase	\$169,759	\$118,779	\$288,538
Health insurance increase	<u>116,992</u>	<u>74,879</u>	<u>191,871</u>
Total	\$286,751	\$193,658	\$480,409

<sup>2</sup> Funding is added from the general fund for one grain warehouse inspector position, related operating expenses, and an increase in funding for the salaries and wages line item for an existing grain warehouse inspector position underfunded during the 2017-19 biennium.

<sup>3</sup> Funding is added for salaries and wages (\$165,493) and related operating expenses (\$5,000) for the reclassification of an existing underfunded FTE position as an accounting budget specialist position.

<sup>4</sup> Funding is increased for capital assets to provide a total of \$25,000.

<sup>5</sup> One-time funding from federal funds is added for specialized legal services.

This amendment also:

- Provides the statutory changes to increase the Public Service Commissioners' salaries. The Public Service Commissioners' annual salaries would increase from the current level of \$108,656 to \$110,829, effective July 1, 2019, and to \$114,154, effective July 1, 2020, to reflect the 2 percent and 3 percent salary increases.
- Amends North Dakota Century Code Section 57-43.2-19 relating to the distribution of funds in the highway tax distribution fund to continue the allocation to the rail safety fund and to increase the allocation amount from \$285,000 per year to \$294,655 per year.