

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; and to amend and reenact section 49-01-05 of the North Dakota Century Code,  
3 relating to the salary of public service commissioners.

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

5 **SECTION 1. BASE LEVEL FUNDING INFORMATION.** The amounts identified in this  
6 section represent the base level funding component appropriated to the public service  
7 commission in section 3 of this Act as follows:

8	Salaries and wages	\$5,122,832
9	Operating expenses	1,408,153
10	Capital assets	88,511
11	Grants	67,000
12	Abandoned mined lands contractual services	3,668,492
13	Rail rate complaint case	<u>945,000</u>
14	Total all funds - Base level	\$11,299,988
15	Less estimated income - Base level	<u>6,937,151</u>
16	Total general fund - Base level	\$4,362,837

17 **SECTION 2. FUNDING ADJUSTMENTS OR ENHANCEMENTS INFORMATION.** The  
18 amounts identified in this section represent the funding adjustments or enhancements to the  
19 base funding level for the public service commission which are included in the appropriation in  
20 section 3 of this Act as follows:

21	Salaries and wages	\$642,032
22	Operating expenses	220,048
23	Capital assets	18,989
24	Grants	(59,000)

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1	Abandoned mined lands contractual services	831,508
2	Rail rate complaint case	(945,000)
3	Agriculture rail rate and service fund	<u>900,000</u>
4	Total all funds - Adjustments/enhancements	\$1,608,577
5	Less estimated income - Adjustments/enhancements	<u>1,068,231</u>
6	Total general fund - Adjustments/enhancements	\$540,346

7           **SECTION 3. APPROPRIATION.** The funds provided in this section, or so much of the  
8 funds 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, 2007, and ending June 30, 2009, as follows:

12	Salaries and wages	\$5,764,864
13	Operating expenses	1,628,201
14	Capital assets	107,500
15	Grants	8,000
16	Abandoned mined lands contractual services	4,500,000
17	Agriculture rail rate and service fund	<u>900,000</u>
18	Total all funds	\$12,908,565
19	Less estimated income	<u>8,005,382</u>
20	Total general fund appropriation	\$4,903,183

21           **SECTION 4. EXEMPTION.** The amount of \$800,000 appropriated for the rail rate  
22 complaint case from the beginning farmer revolving loan fund, as contained in section 3 of  
23 chapter 8 of the 2005 Session Laws, is not subject to the provision of section 54-44.1-11. Any  
24 unexpected funds from the rail rate complaint case line item are available for use for  
25 expenditures relating to the agriculture rail rate and service fund.

26           **SECTION 5. AMENDMENT.** Section 49-01-05 of the North Dakota Century Code is  
27 amended and reenacted as follows:

28           **49-01-05. Salary of commissioners.** The annual salary of a commissioner is  
29 ~~seventy-two~~ seventy-eight thousand ~~six~~ five hundred ~~sixty-nine~~ ninety-nine dollars through  
30 June 30, ~~2006~~ 2008, and ~~seventy-five~~ eighty-one thousand ~~five~~ seven hundred ~~seventy-six~~  
31 forty-three dollars thereafter. All fees received or charged by any commissioner for any act or

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- 1 service rendered in any official capacity must be accounted for and paid over by the
- 2 commissioner monthly to the state treasurer and must be credited to the general fund of the
- 3 state.