

**FIRST ENGROSSMENT
with House Amendments**

ENGROSSED SENATE BILL NO. 2008

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 provide for a legislative council report; to provide for budget section approval;
3 and to amend and reenact section 49-01-05 of the North Dakota Century Code, relating to the
4 salary of public service commissioners.

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

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

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

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

22 Salaries and wages	\$558,150
23 Operating expenses	175,912
24 Capital assets	30,473

1	Grants	(59,000)
2	Abandoned mined lands contractual services	831,508
3	Rail rate complaint case	<u>(450,000)</u>
4	Total all funds - Adjustments/enhancements	\$1,087,043
5	Less estimated income - Adjustments/enhancements	<u>663,231</u>
6	Total general fund - Adjustments/enhancements	\$423,812

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	\$5,680,982
13	Operating expenses	1,584,065
14	Capital assets	118,984
15	Grants	8,000
16	Abandoned mined lands contractual services	4,500,000
17	Rail rate complaint case	<u>495,000</u>
18	Total all funds	\$12,387,031
19	Less estimated income	<u>7,600,382</u>
20	Total general fund appropriation	\$4,786,649

21 **SECTION 4. EXEMPTION - LIMIT.** The amount of \$450,000 appropriated for the rail
22 rate 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 rail rate complaint case. The \$450,000 appropriated in section 3 of
26 this Act from the beginning farmer revolving loan fund is limited to the amount of any unspent
27 beginning farmer revolving loan funds from the 2005-07 biennium appropriation, as contained
28 in section 3 of chapter 8 of the 2005 Session Laws.

29 **SECTION 5. RAIL RATE COMPLAINT CASE - BUDGET SECTION APPROVAL -**
30 **PRIVATE SECTOR MATCH.** Any expenditures by the public service commission for a rail rate
31 complaint case from the beginning farmer revolving loan fund shall be matched by ten percent

1 private sector funds. The public service commission shall request approval from the budget
2 section for any expenditures relating to a rail rate complaint case in excess of \$20,000.

3 **SECTION 6. AMENDMENT.** Section 49-01-05 of the North Dakota Century Code is
4 amended and reenacted as follows:

5 **49-01-05. Salary of commissioners.** The annual salary of a commissioner is
6 ~~seventy-two~~ seventy-eight thousand ~~six~~ five hundred ~~sixty-nine~~ ninety-nine dollars through
7 June 30, ~~2006~~ 2008, and ~~seventy-five~~ eighty-one thousand ~~five~~ seven hundred ~~seventy-six~~
8 forty-three dollars thereafter. All fees received or charged by any commissioner for any act or
9 service rendered in any official capacity must be accounted for and paid over by the
10 commissioner monthly to the state treasurer and must be credited to the general fund of the
11 state.

12 **SECTION 7. GEOGRAPHIC INFORMATION SYSTEM INITIATIVE - REPORT TO**
13 **SIXTY-FIRST LEGISLATIVE ASSEMBLY.** The public service commission shall provide a
14 report to the sixty-first legislative assembly regarding the status of the department's geographic
15 information system initiative.

16 **SECTION 8. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO**
17 **SIXTY-FIRST LEGISLATIVE ASSEMBLY.** The total general fund appropriation line item in
18 section 3 of this Act includes \$50,484 for the one-time funding items identified in this section.
19 This amount is not a part of the agency's base budget to be used in preparing the 2009-11
20 executive budget. The public service commission shall report to the appropriations committees
21 of the sixty-first legislative assembly on the use of this one-time funding for the biennium
22 beginning July 1, 2007, and ending June 30, 2009.

23	Videoconferencing equipment	\$20,000
24	Prover	<u>30,484</u>
25	Total	\$50,484