

FIRST ENGROSSMENT
with Conference Committee Amendments
ENGROSSED HOUSE BILL NO. 1008

Sixty-first
 Legislative Assembly
 of North Dakota

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

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

6 **SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the
 7 funds as may be necessary, are appropriated out of any moneys in the general fund in the state
 8 treasury, not otherwise appropriated, and from special funds derived from federal funds and
 9 other income, to the public service commission for the purpose of defraying the expenses of
 10 that agency, for the biennium beginning July 1, 2009, and ending June 30, 2011, as follows:

		Adjustments or		
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>	
11				
12				
13	Salaries and wages	\$5,674,928	\$1,073,033	\$6,747,961
14	Operating expenses	1,635,856	309,090	1,944,946
15	Capital assets	68,500	59,000	127,500
16	Grants	8,000	2,000	10,000
17	Abandoned mined lands contractual	4,500,000	2,000,000	6,500,000
18	services			
19	Rail rate complaint case	<u>900,000</u>	<u>0</u>	<u>900,000</u>
20	Total all funds	\$12,787,284	\$3,443,123	\$16,230,407
21	Less estimated income	<u>8,003,309</u>	<u>2,623,933</u>	<u>10,627,242</u>
22	Total general fund	\$4,783,975	\$819,190	\$5,603,165
23	Full-time equivalent positions	41.00	2.00	43.00

SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO SIXTY-SECOND LEGISLATIVE ASSEMBLY. The following amounts reflect the one-time funding items approved by the sixtieth legislative assembly for the 2007-09 biennium and the 2009-11 one-time funding items included in the appropriation in section 1 of this Act:

<u>One-Time Funding Description</u>	<u>2007-09</u>	<u>2009-11</u>
Videoconferencing equipment	\$20,000	\$0
Weights and measures equipment	39,000	0
High-flow dispenser prover	<u>30,484</u>	<u>0</u>
Total general fund	\$89,484	\$0

The 2009-11 one-time funding amounts are not a part of the entity's base budget for the 2011-13 biennium. The public service commission shall report to the appropriations committees of the sixty-second legislative assembly on the use of this one-time funding for the biennium beginning July 1, 2009, and ending June 30, 2011.

SECTION 3. LEGISLATIVE INTENT - METROLOGY PROGRAM - BUDGET

SECTION REPORT. It is the intent of the sixty-first legislative assembly that the public service commission discontinue providing metrology program services during the biennium beginning July 1, 2009, and ending June 30, 2011. It is further the intent of the legislative assembly that the public service commission and the department of commerce collaborate to assist with the transition of metrology services from a public to a private service by contracting with the private sector for services on a short-term basis, assisting with equipment acquisition, and providing referrals. The public service commission shall report to the budget section during the 2009-10 interim on the status of the metrology program.

SECTION 4. EXEMPTION. If the public service commission transitions metrology services from a public to a private service, the public service commission may sell or transfer property related to the metrology services in a manner that is determined by the commission to be of the greatest advantage to the state. The sale or transfer of the metrology equipment is not subject to the provisions of North Dakota Century Code section 54-44-04.6.

SECTION 5. 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 ~~seventy-eight~~ eighty-five thousand ~~five~~ eight hundred ~~ninety-nine~~ thirty dollars through June 30,

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- 1 ~~2008~~ 2010, and ~~eighty-one~~ ninety thousand ~~seven~~ one hundred ~~forty-three~~ twenty-two dollars
- 2 thereafter. All fees received or charged by any commissioner for any act or service rendered in
- 3 any official capacity must be accounted for and paid over by the commissioner monthly to the
- 4 state treasurer and must be credited to the general fund of the state.