

**FIRST ENGROSSMENT
with Senate Amendments**

Sixty-first
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1008

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; and to
3 amend and reenact section 49-01-05 of the North Dakota Century Code, relating to the salary
4 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>
13 Salaries and wages	\$5,674,928	\$1,404,750	\$7,079,678
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	\$3,774,840	\$16,562,124
21 Less estimated income	<u>8,003,309</u>	<u>2,681,458</u>	<u>10,684,767</u>
22 Total general fund	\$4,783,975	\$1,093,382	\$5,877,357
23 Full-time equivalent positions	41.00	3.00	44.00

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. It is the intent of the legislative assembly that the public service commission continue to provide the metrology program services at its current level and study public and private location alternatives for the sole purpose of housing the metrology program subsequent to June 30, 2011.

SECTION 4. REPORT TO THE BUDGET SECTION. The public service commission shall report to the budget section prior to July 1, 2010, regarding the status of location alternatives for the metrology program.

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, ~~2008~~ 2010, and ~~eighty-one~~ ninety thousand ~~seven~~ one hundred ~~forty-three~~ twenty-two 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.