

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

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

5 **SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds  
6 as may be necessary, are appropriated out of any moneys in the general fund in the state  
7 treasury, not otherwise appropriated, and from special funds derived from federal funds and  
8 other income, to the public service commission for the purpose of defraying the expenses of  
9 that agency, for the biennium beginning July 1, 2011, and ending June 30, 2013, as follows:

		Adjustments or	
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
12 Salaries and wages	\$6,747,961	\$734,113	\$7,482,074
13 Operating expenses	1,944,946	27,626	1,972,572
14 Capital assets	127,500	(74,500)	53,000
15 Grants	10,000	6,000	16,000
16 Abandoned mined lands contractual	6,500,000	1,500,000	8,000,000
17 Rail rate complaint case	900,000	0	900,000
18 Federal stimulus funds	<u>0</u>	<u>658,217</u>	<u>658,217</u>
19 Total all funds	\$16,230,407	\$2,851,456	\$19,081,863
20 Less estimated income	<u>10,627,242</u>	<u>2,434,406</u>	<u>13,061,648</u>
21 Total general fund	\$5,603,165	\$417,050	\$6,020,215
22 Full-time equivalent positions	43.00	0.00	43.00

23 **SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO**

24 **SIXTY-THIRD LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time funding

1 items approved by the sixty-first legislative assembly for the 2009-11 biennium and the 2011-13  
2 one-time funding items included in the appropriation in section 1 of this Act:

3	<u>One-Time Funding Description</u>	<u>2009-11</u>	<u>2011-13</u>
4	Federal stimulus funds	\$0	\$658,217
5	Total special funds	\$0	\$658,217

6 The 2011-13 one-time funding amounts are not a part of the entity's base budget for the  
7 2013-15 biennium. The public service commission shall report to the appropriations committees  
8 of the sixty-third legislative assembly on the use of this one-time funding for the biennium  
9 beginning July 1, 2011, and ending June 30, 2013.

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

12 **49-01-05. Salary of commissioners.**

13 The annual salary of a commissioner is ~~eighty-five~~ninety-two thousand eight hundred  
14 ~~thirty~~twenty-six dollars through June 30, ~~2010~~2012, and ~~ninety~~ninety-five thousand ~~one~~six  
15 hundred ~~twenty-two~~eleven dollars thereafter. All fees received or charged by any commissioner  
16 for any act or service rendered in any official capacity must be accounted for and paid over by  
17 the commissioner monthly to the state treasurer and must be credited to the general fund of the  
18 state.

19 **SECTION 4. TRANSFER AND REPAYMENT - BEGINNING FARMER REVOLVING LOAN**

20 **FUND.** The sum of \$900,000, or so much of the sum as may be necessary, included in the  
21 estimated income line item in section 1 of this Act, shall be transferred by the Bank of North  
22 Dakota from the beginning farmer revolving loan fund to the public service commission to pay  
23 for costs associated with a rail rate complaint case. Transfers shall be made during the  
24 biennium beginning July 1, 2011, and ending June 30, 2013, upon order of the commission. If  
25 any amounts are spent pursuant to this section, the public service commission shall reimburse  
26 the beginning farmer revolving loan fund using amounts available from damages or proceeds  
27 received, net of legal fees, from a successful outcome of a rail rate complaint case.