

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, 2013, and ending June 30, 2015, as follows:

		Adjustments or	
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
11 Salaries and wages	\$7,482,074	\$1,177,170	\$8,659,244
12 Operating expenses	1,972,572	4,825	1,977,397
13 Capital assets	53,000	35,665	88,665
14 Grants	16,000	4,000	20,000
15 Abandoned mined lands contractual	8,000,000	0	8,000,000
16 Rail rate complaint case	<u>900,000</u>	<u>0</u>	<u>900,000</u>
17 Total all funds	\$18,423,646	\$1,221,660	\$19,645,306
18 Less estimated income	<u>12,403,431</u>	<u>678,652</u>	<u>13,082,083</u>
19 Total general fund	\$6,020,215	\$543,008	\$6,563,223
20 Full-time equivalent positions	43.00	0.00	43.00

22 **SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO**
23 **SIXTY-FOURTH LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time

1 funding items approved by the sixty-second legislative assembly for the 2011-13 biennium and
2 the 2013-15 one-time funding items included in the appropriation in section 1 of this Act:

3	<u>One-Time Funding Description</u>	<u>2011-13</u>	<u>2013-15</u>
4	Federal stimulus funds	\$658,217	\$0
5	Hydraulic soil probe	<u>0</u>	<u>28,000</u>
6	Total all funds	\$658,217	\$28,000
7	Total special funds	<u>658,217</u>	<u>17,920</u>
8	Total general fund	\$0	\$10,080

9 The 2013-15 one-time funding amounts are not a part of the entity's base budget for the
10 2015-17 biennium. The public service commission shall report to the appropriations committees
11 of the sixty-fourth legislative assembly on the use of this one-time funding for the biennium
12 beginning July 1, 2013, and ending June 30, 2015.

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

15 **49-01-05. Salary of commissioners.**

16 The annual salary of a commissioner is ~~ninety-two~~ninety-nine thousand ~~eight~~four hundred
17 ~~twenty-six~~thirty-five dollars through June 30, 2012~~2014~~, and ~~ninety-five~~one hundred three
18 thousand ~~six~~four hundred ~~eleven~~twelve dollars thereafter. All fees received or charged by any
19 commissioner for any act or service rendered in any official capacity must be accounted for and
20 paid over by the commissioner monthly to the state treasurer and must be credited to the
21 general fund of the state.

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

23 **FUND.** The sum of \$900,000, or so much of the sum as may be necessary, included in the
24 estimated income line item in section 1 of this Act, shall be transferred by the Bank of North
25 Dakota from the beginning farmer revolving loan fund to the public service commission to pay
26 for costs associated with a rail rate complaint case. Transfers shall be made during the
27 biennium beginning July 1, 2013, and ending June 30, 2015, upon order of the commission. If
28 any amounts are spent pursuant to this section, the public service commission shall reimburse
29 the beginning farmer revolving loan fund using amounts available from damages or proceeds
30 received, net of legal fees, from a successful outcome of a rail complaint case.