

**FIRST ENGROSSMENT**  
**House Amendments - Majority Report**  
**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 amend and reenact section 49-01-05 of the North Dakota Century Code,  
3 relating to the salary of public service commissioners; to authorize a transfer; to provide for  
4 retroactive application; and to declare an emergency.

**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 funds  
7 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, 2015, and ending June 30, 2017, as follows:

		Adjustments or	
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
13 Salaries and wages	\$8,506,704	\$1,183,771	\$9,690,475
14 Accrued leave payments	168,278	(168,278)	0
15 Operating expenses	1,895,562	80,000	1,975,562
16 Capital assets	60,665	(34,265)	26,400
17 Grants	20,000	0	20,000
18 Abandoned mined lands contractual	8,000,000	0	8,000,000
19 Rail rate complaint case	900,000	0	900,000
20 Reclamation and grain licensing litigation	150,000	(150,000)	0
21 Specialized legal services	<u>0</u>	<u>900,000</u>	<u>900,000</u>
22 Total all funds	\$19,701,209	\$1,811,228	\$21,512,437
23 Less estimated income	<u>13,033,549</u>	<u>743,681</u>	<u>13,777,230</u>

1	Total general fund	\$6,667,660	\$1,067,547	\$7,735,207
2	Full-time equivalent positions	44.00	1.00	45.00

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

4       **SIXTY-FIFTH LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time funding  
5 items approved by the sixty-third legislative assembly for the 2013-15 biennium and the  
6 2015-17 one-time funding items included in the appropriation in section 1 of this Act:

7	<u>One-Time Funding Description</u>	<u>2013-15</u>	<u>2015-17</u>
8	Specialized legal services	\$750,000	\$750,000
9	Hydraulic soil probe	<u>28,000</u>	<u>0</u>
10	Total all funds	\$778,000	\$750,000
11	Total special funds	<u>353,920</u>	<u>336,000</u>
12	Total general fund	\$424,080	\$414,000

13 The 2015-17 one-time funding amounts are not a part of the entity's base budget for the  
14 2017-19 biennium. The public service commission shall report to the appropriations committees  
15 of the sixty-fifth legislative assembly on the use of this one-time funding for the biennium  
16 beginning July 1, 2015, and ending June 30, 2017.

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

19       **49-01-05. Salary of commissioners.**

20       The annual salary of a commissioner is ~~ninety-nine thousand four hundred thirty-five dollars~~  
21 ~~through June 30, 2014, and one hundred two thousand four hundred eighteen~~ one hundred five  
22 thousand four hundred ninety-one dollars through June 30, 2016, and one hundred eight  
23 thousand six hundred fifty-six dollars thereafter. All fees received or charged by any  
24 commissioner for any act or service rendered in any official capacity must be accounted for and  
25 paid over by the commissioner monthly to the state treasurer and must be credited to the  
26 general fund of the state.

27       **SECTION 4. TRANSFER AND REPAYMENT - BEGINNING FARMER REVOLVING LOAN**  
28 **FUND.** The Bank of North Dakota shall transfer from the beginning farmer revolving loan fund to  
29 the public service commission the sum of \$900,000, or so much of the sum as may be  
30 necessary, included in the estimated income line item in section 1 of this Act to pay for costs  
31 associated with a rail rate complaint case. Transfers must be made during the biennium

1 beginning July 1, 2015, and ending June 30, 2017, upon order of the commission. If any  
2 amounts are spent pursuant to this section, the public service commission shall reimburse the  
3 beginning farmer revolving loan fund using amounts available from damages or proceeds  
4 received, net of legal fees, from a successful outcome of a rail complaint case.

5 **SECTION 5. RETROACTIVE APPLICATION.** The specialized legal services line item in  
6 section 1 of this Act is retroactive in application.

7 **SECTION 6. EMERGENCY.** The specialized legal services line item in section 1 of this Act  
8 is declared to be an emergency measure.