

Introduced by

Appropriations Committee

1 A BILL for an Act to provide an appropriation for defraying the expenses of the public service
2 commission; to amend and reenact sections 49-01-05 and 57-43.2-19 of the North Dakota
3 Century Code, relating to the salary of the commissioners and the transfer, deposit, and
4 distribution of funds in the highway tax distribution fund; to provide for a report; and to provide
5 for a transfer.

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

7 **SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds
8 as may be necessary, are appropriated out of any moneys in the general fund in the state
9 treasury, not otherwise appropriated, and from special funds derived from federal funds and
10 other income, to the public service commission for the purpose of defraying the expenses of the
11 public service commission, for the biennium beginning July 1, 2019, and ending June 30, 2021,
12 as follows:

	<u>Governor's</u>		
	<u>Base Level</u>	<u>Recommendation</u>	<u>Appropriation</u>
13 Salaries and wages	\$9,197,284	\$9,602,388	\$9,197,284
14 Operating expenses	1,829,826	1,769,173	1,829,826
15 Capital assets	10,000	10,000	10,000
16 Grants	20,000	20,000	20,000
17 Abandoned mined lands contractual	6,000,000	6,000,000	6,000,000
18 Rail rate complaint case	900,000	790,954	900,000
19 Railroad safety program	564,668	627,486	564,668
20 Specialized legal services	94,000	430,000	94,000
21 Total all funds	\$18,615,778	\$19,250,001	\$18,615,778
22 Less estimated income	11,985,016	12,515,165	11,985,016

Sixty-sixth
Legislative Assembly

1	Total general fund	\$6,630,762	\$6,734,836	\$6,630,762
2	Full-time equivalent positions	45.00	44.00	45.00
3		<u>Adjustments or</u>		
4		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
5	Salaries and wages	\$9,197,284	\$866,541	\$10,063,825
6	Operating expenses	1,829,826	54,000	1,883,826
7	Capital assets	10,000	15,000	25,000
8	Grants	20,000	0	20,000
9	Abandoned mined lands contractual	6,000,000	0	6,000,000
10	Rail rate complaint case	900,000	0	900,000
11	Railroad safety program	564,668	24,642	589,310
12	Specialized legal services	94,000	336,000	430,000
13	Total all funds	\$18,615,778	\$1,296,183	\$19,911,961
14	Less estimated income	11,985,016	529,658	12,514,674
15	Total general fund	\$6,630,762	\$766,525	\$7,397,287
16	Full-time equivalent positions	45.00	1.00	46.00

SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO SIXTY-SEVENTH LEGISLATIVE ASSEMBLY. The following amounts reflect the one-time funding items approved by the sixty-fifth legislative assembly for the 2017-19 biennium and the 2019-21 biennium one-time funding items included in the appropriation in section 1 of this Act:

	<u>One-Time Funding Description</u>	<u>2017-19</u>	<u>2019-21</u>
22	Specialized legal services	\$436,000	\$0
23	Total all funds	\$436,000	\$0
24	Total special funds	436,000	0
25	Total general fund	\$0	\$0
26	Specialized legal services	\$436,000	\$336,000
27	Total all funds	\$436,000	\$336,000
28	Total special funds	436,000	336,000
29	Total general fund	\$0	\$0

The 2019-21 biennium one-time funding amounts are not a part of the entity's base budget for the 2021-23 biennium. The public service commission shall report to the appropriations

committees of the sixty-seventh legislative assembly on the use of this one-time funding for the biennium beginning July 1, 2019, and ending June 30, 2021.

SECTION 3. TRANSFER AND REPAYMENT - BEGINNING FARMER REVOLVING LOAN

FUND. The Bank of North Dakota shall transfer from the beginning farmer revolving loan fund to the public service commission the sum of \$900,000, or so much of the sum as may be necessary, included in the estimated income line item in section 1 of this Act to pay for costs associated with a rail rate complaint case. Transfers must be made during the biennium beginning July 1, 2019, and ending June 30, 2021, upon order of the commission. If any amounts are spent pursuant to this section, the public service commission shall reimburse the beginning farmer revolving loan fund using amounts available from damages or proceeds received, net of legal fees, from a successful outcome of a rail complaint case.

SECTION 4. 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 one hundred ~~fiveten~~ thousand ~~four~~eight hundred ~~ninety-one~~twenty-nine dollars through June 30, ~~2016~~2020, and one hundred ~~eight~~fourteen thousand ~~six~~one hundred ~~fifty-six~~fifty-four 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.

SECTION 5. AMENDMENT. Section 57-43.2-19 of the North Dakota Century Code is amended and reenacted as follows:

57-43.2-19. Transfer, deposit, and distribution of funds. ~~(Effective July 1, 2015, through June 30, 2019)~~

All taxes, license fees, penalties, and interest collected under this chapter must be transferred to the state treasurer who shall deposit moneys in a highway tax distribution fund, except all special fuels excise taxes collected on sales of diesel fuel to a railroad under section 57-43.2-03 of up to two hundred ~~eighty-five~~ninety-four thousand ~~six hundred~~ fifty-five dollars per year must be transferred to the state treasurer who shall deposit the moneys in the rail safety fund. The highway tax distribution fund must be distributed in the manner as prescribed by section 54-27-19.

1 ~~— **Transfer, deposit, and distribution of funds. (Effective after June 30, 2019)** All taxes,~~
2 ~~license fees, penalties, and interest collected under this chapter must be transferred to the state~~
3 ~~treasurer who shall deposit moneys in the highway tax distribution fund. The highway tax~~
4 ~~distribution fund must be distributed in the manner as prescribed by section 54-27-19.~~