

**Public Service Commission  
Budget No. 408  
House Bill No. 1008**

	<b>FTE Positions</b>	<b>General Fund</b>	<b>Other Funds</b>	<b>Total</b>
2009-11 executive budget (bills as introduced)	44.00	\$5,944,758	\$10,684,767	\$16,629,525
<b>2009-11 legislative appropriations</b>	<b>43.00</b>	<b>5,603,165</b>	<b>10,627,242</b>	<b>16,230,407</b>
Legislative increase (decrease) to executive budget	(1.00)	(\$341,593)	(\$57,525)	(\$399,118)
Legislative increase (decrease) to 2007-09 appropriations	2.00	\$712,278	\$2,614,425	\$3,326,703

**ONGOING AND ONE-TIME GENERAL FUND APPROPRIATIONS**

	<b>Ongoing General Fund Appropriation</b>	<b>One-Time General Fund Appropriation</b>	<b>Total General Fund Appropriation</b>
2007-09 legislative appropriations	\$4,801,403	\$89,484	\$4,890,887
<b>2009-11 legislative appropriations</b>	<b>5,603,165</b>	<b>0</b>	<b>5,603,165</b>
2009-11 legislative increase (decrease) to 2007-09 appropriations	\$801,762	(\$89,484)	\$712,278
Percentage increase (decrease) to 2007-09 appropriations	16.7%	(100.0%)	14.6%
2009-11 legislative increase (decrease) to executive budget	(\$341,593)	\$0	(\$341,593)
Percentage increase (decrease) to executive budget	(5.8%)	N/A	(5.8%)

**SUMMARY OF LEGISLATIVE CHANGES TO THE EXECUTIVE BUDGET AND MAJOR FUNDING ITEMS**

**Salaries and Wages**

The legislative action affecting the recommended appropriation for the Public Service Commission is in accordance with legislative salary and fringe benefits guidelines as contained in House Bill No. 1015.

**Major Items**

	<b>FTE Positions</b>	<b>General Fund</b>	<b>Other Funds</b>	<b>Total</b>
The legislative action:				
Removed funding added in the executive budget for state employee salary equity adjustments		(\$124,072)	(\$57,525)	(\$181,597)
Decreased funding for operating expenses		(45,000)		(45,000)
Removed 1 FTE environmental engineer III position (\$156,691) and related operating expenses (\$15,830) added in the executive budget	(1.00)	(172,521)		(172,521)
<b>Total</b>	<b>(1.00)</b>	<b>(\$341,593)</b>	<b>(\$57,525)</b>	<b>(\$399,118)</b>

### **FTE Changes**

The 2009-11 biennium appropriation includes funding for 43 FTE positions, 2 more than the 2007-09 biennium authorized level and a reduction of 1 FTE position from the executive recommendation. The Legislative Assembly did not change the executive recommendation to add 1 FTE public utility analyst II position in the Public Utilities Division and 1 FTE environmental engineer III position in the Reclamation Division. The Legislative Assembly removed 1 FTE environmental engineer III position from the Public Utilities Division included in the executive recommendation.

### **Other Sections in Bill**

**Metrology program** - Section 3 provides that the Public Service Commission discontinue metrology program services during the 2009-11 biennium and the Public Service Commission and the Department of Commerce collaborate to assist with the transition of metrology services from a public to a private service by contracting with the private sector for services on a short-term basis, assisting with equipment acquisition, and providing referrals. The Public Service Commission is to report to the Budget Section during the 2009-10 interim on the status of the metrology program. In addition, if the Public Service Commission transitions metrology services from a public to a private service, Section 4 provides the Public Service Commission may sell or transfer property related to the metrology program in a manner that is determined by the commission to be of the greatest advantage to the state. The sale or transfer of the metrology equipment is not subject to the provisions of North Dakota Century Code (NDCC) Section 54-44-04.6.

**Salary of commissioners** - Section 5 provides statutory changes to NDCC Section 49-01-05 relating to the salaries of the Public Service Commissioners. The Legislative Assembly authorized 2009-11 biennium salary increases of 5 percent effective July 1, 2009, and 5 percent effective July 1, 2010, for elected officials. The Public Service Commissioners' salaries are to be increased from the current level of \$81,743 to \$85,830 effective July 1, 2009, and to \$90,122 effective July 1, 2010.

### **Related Legislation**

**Energy conversion and transmission facility siting definitions** - House Bill No. 1032 relates to the energy conversion and transmission facility siting definitions.

**Decommissioning of wind energy conversion facilities** - House Bill No. 1449 relates to the decommissioning of wind energy conversion facilities.

**Wind easement and wind energy leases** - House Bill No. 1509 relates to requirements for wind easement and wind energy leases and provides for a Legislative Council study of wind easement and wind energy leases.

**Public grain warehouse and facility-based grain buyer credit-sale contract transfers** - Senate Bill No. 2124 relates to public grain warehouse and facility-based grain buyer credit-sale contract transfers and the definition of facility-based grain buyer.

**Chairman of the commission** - Senate Bill No. 2132 relates to the election of one Public Service Commissioner as chairman of the commission.

**Powers of the Public Service Commission** - Senate Bill No. 2137 relates to powers of the Public Service Commission, electric and gas public utility application fees, and provides a continuing appropriation to pay expenses incurred in the processing of cases.