

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1008 - Funding Summary

	Executive Budget	Final Legislative Action	Comparison To Executive Budget
Public Service Commission			
Salaries and wages	\$8,659,244	\$8,506,704	(\$152,540)
Operating expenses	1,977,397	1,895,562	(81,835)
Capital assets	88,665	88,665	
Grants	20,000	20,000	
Abandoned mined lands contractual	8,000,000	8,000,000	
Rail rate complaint case	900,000	900,000	
Accrued leave payments		168,278	168,278
Reclamation & Grain Licensing Litigation		900,000	900,000
Total all funds	\$19,645,306	\$20,479,209	\$833,903
Less estimated income	13,082,083	13,387,469	305,386
General fund	\$6,563,223	\$7,091,740	\$528,517
FTE	43.00	44.00	1.00
Bill Total			
Total all funds	\$19,645,306	\$20,479,209	\$833,903
Less estimated income	13,082,083	13,387,469	305,386
General fund	\$6,563,223	\$7,091,740	\$528,517
FTE	43.00	44.00	1.00

House Bill No. 1008 - Public Service Commission - House Action

	Executive Budget	House Changes	House Version
Salaries and wages	\$8,659,244	(\$402,619)	\$8,256,625
Operating expenses	1,977,397		1,977,397
Capital assets	88,665	(37,500)	51,165
Grants	20,000		20,000
Abandoned mined lands contractual	8,000,000		8,000,000
Rail rate complaint case	900,000		900,000
Accrued leave payments		168,278	168,278
Total all funds	\$19,645,306	(\$271,841)	\$19,373,465
Less estimated income	13,082,083	(86,824)	12,995,259
General fund	\$6,563,223	(\$185,017)	\$6,378,206
FTE	43.00	0.00	43.00

Department 408 - Public Service Commission - Detail of House Changes

	Corrects Executive Compensation Package¹	Adjusts State Employee Compensation and Benefits Package²	Provides Separate Line Item for Accrued Leave Payments³	Removes Funding for Capital Assets⁴	Total House Changes
Salaries and wages	23,340	(257,681)	(168,278)		(402,619)
Operating expenses					
Capital assets				(37,500)	(37,500)
Grants					
Abandoned mined lands contractual					
Rail rate complaint case					
Accrued leave payments			168,278		168,278
Total all funds	\$23,340	(\$257,681)	\$0	(\$37,500)	(\$271,841)
Less estimated income	8,636	(95,460)	0	0	(86,824)
General fund	\$14,704	(\$162,221)	\$0	(\$37,500)	(\$185,017)
FTE	0.00	0.00	0.00	0.00	0.00

¹ Funding is added due to a calculation error in the executive compensation package.

² This amendment adjusts the state employee compensation and benefits package as follows:

- Reduces the performance component from 3 to 5 percent per year to 2 to 4 percent per year.
- Reduces the market component from 2 to 4 percent per year for employees below the midpoint of their salary range to up to 2 percent for employees in the first quartile of their salary range for the first year of the biennium only.
- Removes funding for additional retirement contribution increases.

³ A portion of salaries and wages funding from the general fund (\$105,071) and from other funds (\$63,207) for permanent employees' compensation and benefits is reallocated to an accrued leave payments line item for paying annual leave and sick leave for eligible employees.

⁴ This amendment removes the funding for disk upgrades and the GIS server.

This amendment also:

- Adds a section of legislative intent and an emergency clause to allow the Public Service Commission to fill the pipeline safety inspector position that was repurposed from a weights and measures position in the executive budget prior to the 2013-15 biennium.
- Provides for a Legislative Management study of civil penalties.
- Requires the Public Service Commission to transfer its appropriate information technology hardware to the Information Technology Department secure data center.
- Changes Section 3 to reduce the Public Service Commissioners' annual salary increases from 4 to 3 percent.

House Bill No. 1008 - Public Service Commission - Senate Action

	Executive Budget	House Version	Senate Changes	Senate Version
Salaries and wages	\$8,659,244	\$8,256,625	\$524,122	\$8,780,747
Operating expenses	1,977,397	1,977,397	(44,335)	1,933,062
Capital assets	88,665	51,165	37,500	88,665
Grants	20,000	20,000		20,000
Abandoned mined lands contractual	8,000,000	8,000,000		8,000,000
Rail rate complaint case	900,000	900,000		900,000
Accrued leave payments		168,278	(168,278)	
Reclamation & Grain Licensing Litigation			1,000,000	1,000,000
Total all funds	\$19,645,306	\$19,373,465	\$1,349,009	\$20,722,474
Less estimated income	13,082,083	12,995,259	531,460	13,526,719
General fund	\$6,563,223	\$6,378,206	\$817,549	\$7,195,755
FTE	43.00	43.00	1.00	44.00

Department 408 - Public Service Commission - Detail of Senate Changes

	Restores Executive Compensation Package¹	Removes Separate Line Item for Accrued Leave Payments²	Adds Funding for Weights and Measures FTE Position³	Restores Funding for Capital Assets⁴	Adds Funding for Litigation Costs⁵	Total Senate Changes
Salaries and wages	257,681	168,278	98,163			524,122
Operating expenses			105,665		(150,000)	(44,335)
Capital assets				37,500		37,500
Grants						
Abandoned mined lands contractual						
Rail rate complaint case						
Accrued leave payments		(168,278)				(168,278)
Reclamation & Grain Licensing Litigation					1,000,000	1,000,000
Total all funds	\$257,681	\$0	\$203,828	\$37,500	\$850,000	\$1,349,009
Less estimated income	95,460	0	0	0	436,000	531,460
General fund	\$162,221	\$0	\$203,828	\$37,500	\$414,000	\$817,549
FTE	0.00	0.00	1.00	0.00	0.00	1.00

¹ Funding reductions made by the House to the state employee compensation and benefits package are restored to the Governor's recommended level.

² The accrued leave payments line item added by the House is removed and the associated funding returned to line items with salaries and wages funding.

³ This amendment adds one FTE weights and measures position and the related funding.

⁴ This amendment restores the funding removed by the House for disk upgrades and the GIS server.

⁵ A new line item of one-time funding is added for litigation costs. Funding of \$150,000, \$86,000 of which is from the general fund is transferred from the operating expenses line item and \$850,000, \$414,000 of which is from the general fund is added to provide a total of \$1,000,000, of which \$500,000 is from the general fund. The executive budget recommendation provided a total of \$150,000 for litigation funding, of which \$86,000 was from the general fund. The litigation line item includes funding for litigation costs relating to the enforcement of the Public Service Commission's coal mining and reclamation program; abandoned mine lands reclamation program; and grain warehouse, grain buyer, and hay buyer licensing and insolvencies.

This amendment also:

- Amends Section 64-02-10 relating to the fee schedule of the large scale weights and measures program. This change is estimated to result in a \$200,000 reduction of general fund revenue for the 2013-15 biennium.
- Removes Section 5 added by the House which required the Public Service Commission to transfer information technology equipment to the Information Technology Department.
- Adds provisions that the commission proceed in hiring the new public utility analyst position prior to July 1, 2013.
- The Public Service Commission's salaries are adjusted to provide the commissioners a 4 percent increase in salary on July 1, 2013, and a 4 percent increase on July 1, 2014, the same as the executive budget. The House provided for 3 percent annual increases.

House Bill No. 1008 - Public Service Commission - Conference Committee Action

	Executive Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Salaries and wages	\$8,659,244	\$8,256,625	\$250,079	\$8,506,704	\$8,780,747	(\$274,043)
Operating expenses	1,977,397	1,977,397	(81,835)	1,895,562	1,933,062	(37,500)
Capital assets	88,665	51,165	37,500	88,665	88,665	
Grants	20,000	20,000		20,000	20,000	
Abandoned mined lands contractual	8,000,000	8,000,000		8,000,000	8,000,000	
Rail rate complaint case	900,000	900,000		900,000	900,000	
Accrued leave payments		168,278		168,278		168,278
Reclamation & Grain Licensing Litigation			900,000	900,000	1,000,000	(100,000)
Total all funds	\$19,645,306	\$19,373,465	\$1,105,744	\$20,479,209	\$20,722,474	(\$243,265)
Less estimated income	13,082,083	12,995,259	392,210	13,387,469	13,526,719	(139,250)
General fund	\$6,563,223	\$6,378,206	\$713,534	\$7,091,740	\$7,195,755	(\$104,015)
FTE	43.00	43.00	1.00	44.00	44.00	0.00

Department 408 - Public Service Commission - Detail of Conference Committee Changes

	Removes House Changes to Executive Compensation Package¹	Adjusts State Employee Compensation and Benefits Package²	Adds Funding for Weights and Measures FTE Position³	Adjusts Line Item Funding⁴	Adjusts Funding for Litigation Costs⁵	Total Conference Committee Changes
Salaries and wages	257,681	(105,765)	98,163			250,079
Operating expenses			105,665	(37,500)	(150,000)	(81,835)
Capital assets				37,500		37,500
Grants						
Abandoned mined lands contractual						
Rail rate complaint case						
Accrued leave payments						
Reclamation & Grain Licensing Litigation					900,000	900,000
Total all funds	\$257,681	(\$105,765)	\$203,828	\$0	\$750,000	\$1,105,744
Less estimated income	95,460	(39,250)	0	0	336,000	392,210
General fund	\$162,221	(\$66,515)	\$203,828	\$0	\$414,000	\$713,534
FTE	0.00	0.00	1.00	0.00	0.00	1.00

¹ Changes made by the House to the executive compensation package are removed.

² This amendment adjusts the state employee compensation and benefits package as follows:

- Reduces the performance component from 3 to 5 percent per year to 3 to 5 percent for the first year of the biennium and 2 to 4 percent for the second year of the biennium.
- Reduces the market component from 2 to 4 percent per year to 1 to 2 percent per year for employees below the midpoint of their salary range.

- Reduces funding for retirement contribution increases to provide for a 1 percent state and 1 percent employee increase beginning in January 2014 and no increase in January 2015.

³ This amendment adds 1 FTE weights and measures position and the related funding, the same as the Senate version.

⁴ This amendment does not restore the funding removed by the House for geographic information system and disk upgrades; however, it does adjust which line item the funding is removed from. The House removed the funding from the capital assets line item. The Senate restored the funding to the capital assets line item. The conference committee amendment restores the funding to the capital assets line item and removes it from the operating expenses line item.

⁵ A new line item is added for litigation costs. Funding of \$150,000, \$86,000 of which is from the general fund, is transferred from the operating expenses line item and \$750,000, \$414,000 of which is from the general fund, is added to provide a total of \$900,000, of which \$500,000 is from the general fund. The executive budget recommendation provided a total of \$150,000 for litigation funding, of which \$86,000 was from the general fund. The litigation line item includes funding for litigation costs relating to the enforcement of the Public Service Commission's coal mining and reclamation program; abandoned mine lands reclamation program; and grain warehouse, grain buyer, and hay buyer licensing and insolvencies. The \$750,000 of additional funds is one-time funding. The Senate added \$850,000, of which \$414,000 is from the general fund. The conference committee reduced the additional federal funds to \$336,000 to provide a total of \$900,000 for litigation costs.

This amendment also:

- Amends Section 64-02-10 relating to the fee schedule of the large scale weights and measures program. This change is estimated to result in a \$200,000 reduction of general fund revenue for the 2013-15 biennium, the same as the Senate version.
- Removes Section 5 added by the House which required the Public Service Commission to transfer information technology equipment to the Information Technology Department, the same as the Senate version.
- Adds provisions that the commission proceed in hiring the new public utility analyst and gas pipeline safety inspector positions prior to July 1, 2013, the same as the Senate version.
- Changes Section 3 to reduce the Public Service Commissioners' salary increases from a 4 percent annual increase to a 4 percent increase on July 1, 2013, and a 3 percent increase on July 1, 2014. The House provided annual salary increases of 3 percent. The Senate provided annual salary increases of 4 percent, the same as the executive recommendation.
- Provides for a Legislative Management study of the feasibility and desirability of the construction of a metrology laboratory.