

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2008 - Funding Summary

	Base Budget	Final Legislative Action	Comparison To Base Budget
Public Service Commission			
Salaries and wages	\$8,506,704	\$9,690,475	\$1,183,771
Operating expenses	1,895,562	1,975,562	80,000
Capital assets	60,665	26,400	(34,265)
Grants	20,000	20,000	
Abandoned mined lands contractual	8,000,000	8,000,000	
Rail rate complaint case	900,000	900,000	
Reclamation & grain licensing litigation	150,000		(150,000)
Accrued leave payments	168,278		(168,278)
Railroad safety program		523,345	523,345
Specialized legal services		900,000	900,000
Weights and measures temporary position		200,000	200,000
Total all funds	\$19,701,209	\$22,235,782	\$2,534,573
Less estimated income	13,033,549	14,300,575	1,267,026
General fund	\$6,667,660	\$7,935,207	\$1,267,547
FTE	44.00	46.00	2.00
Bill Total			
Total all funds	\$19,701,209	\$22,235,782	\$2,534,573
Less estimated income	13,033,549	14,300,575	1,267,026
General fund	\$6,667,660	\$7,935,207	\$1,267,547
FTE	44.00	46.00	2.00

Senate Bill No. 2008 - Public Service Commission - Senate Action

	Base Budget	Senate Changes	Senate Version
Salaries and wages	\$8,506,704	\$1,844,104	\$10,350,808
Operating expenses	1,895,562	328,848	2,224,410
Capital assets	60,665	(34,265)	26,400
Grants	20,000		20,000
Abandoned mined lands contractual	8,000,000		8,000,000
Rail rate complaint case	900,000		900,000
Reclamation & grain licensing litigation	150,000	(150,000)	
Accrued leave payments	168,278	(168,278)	
Railroad safety program		972,294	972,294
Specialized legal services		900,000	900,000
Total all funds	\$19,701,209	\$3,692,703	\$23,393,912
Less estimated income	13,033,549	1,944,464	14,978,013
General fund	\$6,667,660	\$1,748,239	\$8,415,899
FTE	44.00	6.00	50.00

Department 408 - Public Service Commission - Detail of Senate Changes

	Adds Funding for Base Payroll Changes¹	Adds Funding for Salary and Benefit Increases²	Adds Funding for New Weights and Measures Inspector³	Adds Funding for New Natural Gas Pipeline Inspector⁴	Adds Funding for New Public Utility Analyst⁵	Adds Funding for New Railroad Safety Program⁶
Salaries and wages	160,775	581,474	196,803	257,747	257,747	
Operating expenses			116,232	82,616	40,000	
Capital assets						
Grants						
Abandoned mined lands contractual						
Rail rate complaint case						
Reclamation & grain licensing litigation						
Accrued leave payments	(168,278)					
Railroad safety program						972,294
Specialized legal services						
Total all funds	(\$7,503)	\$581,474	\$313,035	\$340,363	\$297,747	\$972,294
Less estimated income	(55,650)	212,080	0	170,182	0	972,294
General fund	\$48,147	\$369,394	\$313,035	\$170,181	\$297,747	\$0
FTE	0.00	0.00	1.00	1.00	1.00	3.00
	Adds Funding for Abandoned Mine Land Program Temporary Positions⁷	Adjusts Base Level Funding⁸	Transfers Funding and Creates the Specialized Legal Services Line Item⁹	Adds One-Time Funding for Accrued Leave Payout¹⁰	Total Senate Changes	
Salaries and wages	245,344			144,214	1,844,104	
Operating expenses		90,000			328,848	
Capital assets		(34,265)			(34,265)	
Grants						
Abandoned mined lands contractual						
Rail rate complaint case						
Reclamation & grain licensing litigation			(150,000)		(150,000)	
Accrued leave payments					(168,278)	
Railroad safety program					972,294	
Specialized legal services			900,000		900,000	
Total all funds	\$245,344	\$55,735	\$750,000	\$144,214	\$3,692,703	
Less estimated income	245,344	20,000	336,000	44,214	1,944,464	
General fund	\$0	\$35,735	\$414,000	\$100,000	\$1,748,239	
FTE	0.00	0.00	0.00	0.00	6.00	

¹ Funding is added for cost-to-continue 2013-15 biennium salaries and benefit increases and for other base payroll changes.

² The following funding is added for 2015-17 biennium performance salary adjustments of 2 to 4 percent per year and increases in monthly health insurance premiums:

	General Fund	Other Funds	Total
Salary increase - Performance	\$231,579	\$142,650	\$374,229
Health insurance increase	137,815	69,430	207,245
Total	\$369,394	\$212,080	\$581,474

³ Funding is added from the general fund for a weights and measures inspector FTE position (\$196,803) and related operating expenses (\$116,232).

⁴ Funding is added from the general fund and other funds for a new natural gas pipeline inspector FTE position (\$257,747) and related operating expenses (\$82,616).

⁵ Funding is added from the general fund for a new public utility analyst FTE position (\$257,747) and related operating expenses (\$40,000).

⁶ The funding shown below is added for a new state railroad safety program. The other funds include \$972,294 from the rail safety fund created in Section 6 of this Act.

	FTE	General Fund	Other Funds	Total
New railroad safety inspectors	3.00		\$762,294	\$762,294
Operating and other costs			210,000	210,000
Total	3.00	\$0	\$972,294	\$972,294

⁷ Federal funds spending authority is added for temporary positions for the abandoned mine land program.

⁸ Base level funding is adjusted as follows:

	General Fund	Other Funds	Total
Travel expense increase	\$70,000	\$20,000	\$90,000
IT equipment replacement and upgrades	26,400		26,400
Remove capital assets	(60,665)		(60,665)
Total	\$35,735	\$20,000	\$55,735

⁹ The specialized legal services line item is created, and funding is transferred from the reclamation and grain licensing litigation line item to the specialized legal services line item. The line item transfer and new one-time funding is shown below for the specialized legal services line item. There is also a retroactive application in Section 8 of this Act and an emergency clause in Section 9 of this Act related to the specialized legal services line item.

	General Fund	Other Funds	Total
Transfer from reclamation and grain licensing litigation	\$86,000	\$64,000	\$150,000
New one-time funding	414,000	336,000	750,000
Total	\$500,000	\$400,000	\$900,000

¹⁰ One-time funding is added for accrued leave payouts.

This amendment also:

- Designates that of the railroad safety program line item in Section 1 of the bill, \$972,294 is from the rail safety fund, of which \$762,294 relates to salaries and wages and \$210,000 relates to operating expenses for the Public Service Commission for creating a state railroad safety program.
- Amends Section 3 of the bill to provide 3 percent annual salary increases for the commissioners during the 2015-17 biennium.
- Creates the rail safety fund and amends North Dakota Century Code Section 57-43.2-19 to allocate special fuels excise taxes collected on sales of diesel fuel to a railroad under Section 57-43.2-03 of up to \$500,000 per year from the highway tax distribution fund to the rail safety fund.
- Provides an effective date for special fuels excise taxes collected after June 30, 2015.
- Provides a retroactive application for the specialized legal services line item.
- Declares the specialized legal services line item to be an emergency measure.

Senate Bill No. 2008 - Public Service Commission - House Action

	Base Budget	Senate Version	House Changes	House Version
Salaries and wages	\$8,506,704	\$10,350,808	(\$660,333)	\$9,690,475
Operating expenses	1,895,562	2,224,410	(248,848)	1,975,562
Capital assets	60,665	26,400		26,400
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
Reclamation & grain licensing litigation	150,000			
Accrued leave payments	168,278			
Railroad safety program		972,294	(972,294)	
Specialized legal services		900,000		900,000
Total all funds	\$19,701,209	\$23,393,912	(\$1,881,475)	\$21,512,437
Less estimated income	13,033,549	14,978,013	(1,200,783)	13,777,230
General fund	\$6,667,660	\$8,415,899	(\$680,692)	\$7,735,207
FTE	44.00	50.00	(5.00)	45.00

Department 408 - Public Service Commission - Detail of House Changes

	Adjusts Funding for Health Insurance Premium Increases¹	Removes Funding for New Weights and Measures Inspector²	Removes Funding for New Natural Gas Pipeline Inspector³	Removes Funding for New Railroad Safety Program⁴	Reduces Funding for Travel Expense⁵	Removes One-Time Funding for Accrued Leave Payout⁶
Salaries and wages	(43,257)	(204,651)	(268,211)			(144,214)
Operating expenses		(116,232)	(82,616)		(50,000)	
Capital assets						
Grants						
Abandoned mined lands contractual						
Rail rate complaint case						
Reclamation & grain licensing litigation						
Accrued leave payments						
Railroad safety program				(972,294)		
Specialized legal services						
Total all funds	(\$43,257)	(\$320,883)	(\$350,827)	(\$972,294)	(\$50,000)	(\$144,214)
Less estimated income	(8,861)	0	(175,414)	(972,294)	0	(44,214)
General fund	(\$34,396)	(\$320,883)	(\$175,413)	\$0	(\$50,000)	(\$100,000)
FTE	0.00	(1.00)	(1.00)	(3.00)	0.00	0.00

	Total House Changes
Salaries and wages	(660,333)
Operating expenses	(248,848)
Capital assets	
Grants	
Abandoned mined lands contractual	
Rail rate complaint case	
Reclamation & grain licensing litigation	
Accrued leave payments	
Railroad safety program	(972,294)
Specialized legal services	
Total all funds	(\$1,881,475)
Less estimated income	(1,200,783)
General fund	(\$680,692)
FTE	(5.00)

- ¹ Funding for employee health insurance premiums is adjusted to reflect the revised premium estimate of \$1,130.22 per month.
- ² Funding is removed from the general fund for a new weights and measures inspector FTE position (\$196,803) and related salary increase (\$7,848) and operating expenses (\$116,232).
- ³ Funding is removed from the general fund and other funds for a new natural gas pipeline inspector FTE position (\$257,747) and related salary increase (\$10,464) and operating expenses (\$82,616).
- ⁴ Funding is removed for a new state railroad safety program as follows:

	FTE	General Fund	Other Funds	Total
New railroad safety inspectors	(3.00)		(\$762,294)	(\$762,294)
Operating and other costs			(210,000)	(210,000)
Total	(3.00)	\$0	(\$972,294)	(\$972,294)

- ⁵ Funding for travel expense is reduced from \$1,400,525 to \$1,350,525.
- ⁶ One-time funding is removed for accrued leave payouts.

This amendment also:

- Removes Section 3 of the bill, which designated funding for the railroad safety program.
- Removes Section 6 of the bill, which created the rail safety fund and amended Section 57-43.2-19 regarding the allocation of special fuels excise taxes collected on sales of diesel fuel to a railroad.
- Removes Section 7 of the bill, which provided an effective date for Section 6.

Senate Bill No. 2008 - Public Service Commission - Conference Committee Action

	Base Budget	Senate Version	Conference Committee Changes	Conference Committee Version	House Version	Comparison to House
Salaries and wages	\$8,506,704	\$10,350,808	(\$660,333)	\$9,690,475	\$9,690,475	
Operating expenses	1,895,562	2,224,410	(248,848)	1,975,562	1,975,562	
Capital assets	60,665	26,400		26,400	26,400	
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	
Reclamation & grain licensing litigation	150,000					
Accrued leave payments	168,278					
Railroad safety program		972,294	(448,949)	523,345		523,345
Specialized legal services		900,000		900,000	900,000	
Weights and measures temporary position			200,000	200,000		200,000
Total all funds	\$19,701,209	\$23,393,912	(\$1,158,130)	\$22,235,782	\$21,512,437	\$723,345
Less estimated income	13,033,549	14,978,013	(677,438)	14,300,575	13,777,230	523,345
General fund	\$6,667,660	\$8,415,899	(\$480,692)	\$7,935,207	\$7,735,207	\$200,000
FTE	44.00	50.00	(4.00)	46.00	45.00	1.00

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

	Adjusts Funding for Health Insurance Premium Increases¹	Removes Funding for New Weights and Measures Inspector²	Adds Funding for New Temporary Weights and Measures Inspector³	Removes Funding for New Natural Gas Pipeline Inspector⁴	Adjusts Funding for New Railroad Safety Pilot Program⁵	Reduces Funding for Travel Expense⁶
Salaries and wages	(43,257)	(204,651)		(268,211)		
Operating expenses		(116,232)		(82,616)		(50,000)
Capital assets						
Grants						
Abandoned mined lands contractual						
Rail rate complaint case						
Reclamation & grain licensing litigation						
Accrued leave payments						
Railroad safety program					(448,949)	
Specialized legal services						
Weights and measures temporary position			200,000			
Total all funds	(\$43,257)	(\$320,883)	\$200,000	(\$350,827)	(\$448,949)	(\$50,000)
Less estimated income	(8,861)	0	0	(175,414)	(448,949)	0
General fund	(\$34,396)	(\$320,883)	\$200,000	(\$175,413)	\$0	(\$50,000)
FTE	0.00	(1.00)	0.00	(1.00)	(2.00)	0.00

	Removes One-Time Funding for Accrued Leave Payout⁷	Total Conference Committee Changes
Salaries and wages	(144,214)	(660,333)
Operating expenses		(248,848)
Capital assets		
Grants		
Abandoned mined lands contractual		
Rail rate complaint case		
Reclamation & grain licensing litigation		
Accrued leave payments		
Railroad safety program		(448,949)
Specialized legal services		
Weights and measures temporary position		200,000
Total all funds	(\$144,214)	(\$1,158,130)
Less estimated income	(44,214)	(677,438)
General fund	(\$100,000)	(\$480,692)
FTE	0.00	(4.00)

¹ Funding for employee health insurance premiums is adjusted to reflect the revised premium estimate of \$1,130.22 per month.

² Funding is removed from the general fund for a new weights and measures inspector FTE position (\$196,803) and related salary increase (\$7,848) and operating expenses (\$116,232), the same as the House version.

³ Funding is added from the general fund for salaries and wages and related operating expenses of a temporary employee for the weights and measures program. This item was not included in the Senate or House version.

⁴ Funding is removed from the general fund and other funds for a new natural gas pipeline inspector FTE position (\$257,747) and related salary increase (\$10,464) and operating expenses (\$82,616), the same as the House version.

⁵ Funding provided for the railroad safety pilot program includes a total of \$523,345 from the rail safety fund, of which \$253,345 is for 1 rail inspector FTE position, \$70,000 for related operating expenses, and \$200,000 for a temporary railroad safety pilot program employee. The Conference Committee adjusted funding for a new state railroad safety pilot program as follows:

	FTE	General Fund	Other Funds	Total
New railroad safety inspectors	(2.00)		(\$508,949)	(\$508,949)
Operating and other costs			(140,000)	(140,000)
Temporary employee			200,000	200,000
Total	(2.00)	\$0	(\$448,949)	(\$448,949)

⁶ Funding for travel expense is reduced from \$1,400,525 to \$1,350,525, the same as the House version.

⁷ One-time funding is removed for accrued leave payouts, the same as the House version.

This amendment also:

- Changes Section 3 of the bill, which designates funding for the railroad safety pilot program to fund salaries and operating costs for 1 FTE position and for a railroad safety pilot program temporary employee. The Senate version provided salary and operating costs for 3 FTE positions and the House version removed this section.
- Changes Section 6 of the bill, which creates the rail safety fund and amends Section 57-43.2-19 regarding the allocation of special fuels excise taxes collected on sales of diesel fuel to a railroad reducing the annual deposit from \$500,000 to \$275,000 and sunseting the provisions on June 30, 2019. The Senate version provided \$500,000 annually with no sunset clause and the House removed this section.
- Adds a section to require railroads to provide a training program to fire departments having jurisdiction along routes traversed by unit oil trains. This section was not included in the Senate or House version.