

**Public Service Commission
Budget No. 408
Senate Bill No. 2008**

	FTE Positions	General Fund	Other Funds	Total
2019-21 legislative appropriations	43.00	\$6,714,928	\$12,608,476	\$19,323,404
2019-21 base budget	45.00	6,630,762	11,985,016	18,615,778
Legislative increase (decrease) to base budget	(2.00)	\$84,166	\$623,460	\$707,626

ONGOING AND ONE-TIME GENERAL FUND APPROPRIATIONS

	Ongoing General Fund Appropriation	One-Time General Fund Appropriation	Total General Fund Appropriation
2019-21 legislative appropriations	\$6,714,928	\$0	\$6,714,928
2017-19 legislative appropriations	6,630,762	0	6,630,762
2019-21 legislative increase (decrease) to 2017-19 appropriations	\$84,166	\$0	\$84,166
Percentage increase (decrease) to 2017-19 appropriations	1.3%	0.0%	1.3%

**SUMMARY OF LEGISLATIVE CHANGES TO THE BASE BUDGET AND MAJOR FUNDING ITEMS
Changes to Base Budget**

	FTE Positions	General Fund	Other Funds	Total
The legislative action:				
Added funding to provide employee salary increases of 2 percent on July 1, 2019, with a minimum monthly increase of \$120 and a maximum monthly increase of \$200, and 2.5 percent on July 1, 2020.		\$170,406	\$112,581	\$282,987
Added funding for employee health insurance premiums to reflect a revised premium estimate of \$1,426.74 per month.		116,992	74,879	191,871
Removed 2 FTE grain warehouse inspectors (\$317,725) and related operating expenses (\$71,000).	(2.00)	(388,725)		(388,725)
Added funding for the reclassification of an existing underfunded FTE position as an accounting budget specialist position (\$165,493) and related operating expenses (\$5,000).		170,493		170,493
Added funding for capital assets.		15,000		15,000
Added one-time funding from federal funds for specialized legal services.			336,000	336,000

Added one-time funding to provide grain licensing services to the Agriculture Commissioner.			100,000	100,000
Total	(2.00)	\$84,166	\$623,460	\$707,626

FTE Changes

The 2019-21 biennium appropriation includes funding for 43 FTE positions, a decrease of 2 FTE positions from the 2017-19 biennium authorized level of 45 FTE positions. The Legislative Assembly transferred 2 FTE grain licensing inspector positions to the Agriculture Commissioner.

One-Time Funding

In Sections 2 and 4 of Senate Bill No. 2008, the Legislative Assembly identified \$336,000 of one-time funding from federal funds for specialized legal services and \$100,000 of one-time funding from other income received from the Agriculture Commissioner for continuing to provide services related to grain insolvency litigation initiated prior to July 1, 2019.

Grain Licensing

In Senate Bill No. 2008, the Legislative Assembly removed 2 FTE grain licensing inspector positions and related funding (\$388,725) from the Public Service Commission. In Senate Bill No. 2009, the Legislative Assembly authorized 3 FTE grain licensing inspector positions (\$683,006) and 1 FTE accounting budget specialist position (\$170,493), and amended various sections of Century Code, to transfer regulatory responsibilities for grain, grain buyers, warehousing, deposits, and warehousemen from the Public Service Commission to the Agriculture Commissioner.

Other Sections in Senate Bill No. 2008

Beginning farmer revolving loan fund - Section 3 authorizes a \$900,000 transfer from the beginning farmer revolving loan fund to the Public Service Commission to pay for costs associated with a rail rate complaint case. The Public Service Commission would reimburse the beginning farmer revolving loan fund for any funds spent using amounts available from damages or proceeds, net of legal fees.

Appropriation - Grain licensing legal services - Section 4 appropriates one-time funding of \$100,000 of income to be received from the Agriculture Commissioner to the Public Service Commission for continuing to provide legal services related to grain insolvency litigation initiated prior to July 1, 2019.

Salary of commissioners - Section 5 provides the statutory changes increasing the Public Service Commissioners' salary. The Public Service Commissioners' annual salary will increase from the current level of \$108,656 to \$110,829, effective July 1, 2019, and to \$113,600, effective July 1, 2020, to reflect the 2 percent and 2.5 percent salary increase.

Railroad safety pilot program - Section 6 amends North Dakota Century Code Section 57-43.2-19 to discontinue the deposit of special fuels taxes into the rail safety fund on June 30, 2021, and changes the amount deposited from \$285,000 per year to \$294,509 per year.

Railroad inspection study - Section 7 requires the Public Service Commission to study technology available to create efficiencies to reduce costs for railroad equipment and track inspections and requires the commission to report its findings and any related budget recommendations to the Appropriations Committees of the 67th Legislative Assembly.

Related Legislation

House Bill No. 1362 - Creates Chapter 49-09.1 relating to the right of utilities to cross over or under a railroad right of way and places restrictions on crossing fees.

House Bill No. 1383 - Amends Section 49-22-05.1 to restrict the Public Service Commission from identifying prime farmland, unique farmland, or irrigated land as exclusion or avoidance areas when evaluating and designating geographical areas for site, corridor, or route suitability. This bill also amends Section 49-22-09 to restrict the Public Service Commission from placing a condition on the issuance of a certificate or permit on the applicant.

Senate Bill No. 2009 - Transfers the authority over grain, grain buyers, warehousing, deposits, and warehousemen from the Public Service Commission to the Agriculture Commissioner and provides \$100,000 from the general fund to the Agriculture Commissioner for paying the Public Service Commission to continue providing services relating to grain insolvency litigation that began prior to July 1, 2019.

Senate Bill No. 2100 - Amends Section 49-02-27 to authorize the Public Service Commission to adopt rules governing the decommissioning of commercial solar energy conversion facilities.

Senate Bill No. 2122 - Creates a new section to Chapter 49-02 to require applicants who file under a title for which there is no application fee, to pay the cost of publishing any notice issued by the Public Service Commission for the application.