

Introduced by

Appropriations Committee

(At the request of the Governor)

1 A BILL for an Act to provide an appropriation for defraying the expenses of the public service
2 commission; to amend and reenact section 49-01-05 of the North Dakota Century Code,
3 relating to the salary of public service commissioners; and to authorize a transfer.

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

5 **SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds
6 as may be necessary, are appropriated out of any moneys in the general fund in the state
7 treasury, not otherwise appropriated, and from special funds derived from federal funds and
8 other income, to the public service commission for the purpose of defraying the expenses of
9 that agency, for the biennium beginning July 1, 2015, and ending June 30, 2017, as follows:

		Adjustments or		
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>	
11				
12	Salaries and wages	\$8,506,704	\$3,414,670	\$11,921,374
13	Accrued leave payments	168,278	(168,278)	0
14	Operating expenses	1,895,562	829,312	2,724,874
15	Capital assets	60,665	(34,265)	26,400
16	Grants	20,000	0	20,000
17	Abandoned mined lands contractual	8,000,000	0	8,000,000
18	Rail rate complaint case	900,000	0	900,000
19	Reclamation and grain licensing litigation	<u>150,000</u>	<u>750,000</u>	<u>900,000</u>
20	Total all funds	\$19,701,209	\$4,791,439	\$24,492,648
21	Less estimated income	<u>13,033,549</u>	<u>1,526,889</u>	<u>14,560,438</u>
22	Total general fund	\$6,667,660	\$3,264,550	\$9,932,210
23	Full-time equivalent positions	44.00	9.00	53.00

1 **SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO**

2 **SIXTY-FIFTH LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time funding
3 items approved by the sixty-third legislative assembly for the 2013-15 biennium and the
4 2015-17 one-time funding items included in the appropriation in section 1 of this Act:

5 <u>One-Time Funding Description</u>	<u>2013-15</u>	<u>2015-17</u>
6 Reclamation and grain licensing litigation	\$750,000	\$750,000
7 Hydraulic soil probe	28,000	0
8 Retirement leave payout	0	144,214
9 Total all funds	\$778,000	\$894,214
10 Total special funds	<u>353,920</u>	<u>380,214</u>
11 Total general fund	\$424,080	\$514,000

12 The 2015-17 one-time funding amounts are not a part of the entity's base budget for the
13 2017-19 biennium. The public service commission shall report to the appropriations committees
14 of the sixty-fifth legislative assembly on the use of this one-time funding for the biennium
15 beginning July 1, 2015, and ending June 30, 2017.

16 **SECTION 3. AMENDMENT.** Section 49-01-05 of the North Dakota Century Code is
17 amended and reenacted as follows:

18 **49-01-05. Salary of commissioners.**

19 The annual salary of a commissioner is ~~ninety-nine thousand four hundred thirty-five dollars~~
20 ~~through June 30, 2014, and one hundred two thousand four hundred eighteen~~ one hundred six
21 thousand five hundred fifteen dollars through June 30, 2016, and one hundred ten thousand
22 seven hundred seventy-five dollars thereafter. All fees received or charged by any
23 commissioner for any act or service rendered in any official capacity must be accounted for and
24 paid over by the commissioner monthly to the state treasurer and must be credited to the
25 general fund of the state.

26 **SECTION 4. TRANSFER AND REPAYMENT - BEGINNING FARMER REVOLVING LOAN**
27 **FUND.** The Bank of North Dakota shall transfer from the beginning farmer revolving loan fund to
28 the public service commission the sum of \$900,000, or so much of the sum as may be
29 necessary, included in the estimated income line item in section 1 of this Act to pay for costs
30 associated with a rail rate complaint case. Transfers must be made during the biennium
31 beginning July 1, 2015, and ending June 30, 2017, upon order of the commission. If any

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Legislative Assembly

- 1 amounts are spent pursuant to this section, the public service commission shall reimburse the
- 2 beginning farmer revolving loan fund using amounts available from damages or proceeds
- 3 received, net of legal fees, from a successful outcome of a rail complaint case.