

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~~ to provide for a  
4 legislative management study.

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

6 **SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds  
7 as may be necessary, are appropriated out of any moneys in the general fund in the state  
8 treasury, not otherwise appropriated, and from special funds derived from federal funds and  
9 other income, to the public service commission for the purpose of defraying the expenses of  
10 that agency, for the biennium beginning July 1, 2011, and ending June 30, 2013, as follows:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
11			
12			
13	Salaries and wages	\$6,747,961	\$734,113
14	Operating expenses	1,944,946	27,626
15	Capital assets	127,500	(74,500)
16	Grants	10,000	6,000
17	Abandoned mined lands contractual	6,500,000	1,500,000
18	<del>Rail rate complaint case</del>	<del>900,000</del>	<del>0</del>
19	<u>Rail rate complaint case</u>	<u>900,000</u>	<u>(900,000)</u>
20	Federal stimulus funds	<u>0</u>	<u>658,217</u>
21	<del>Total all funds</del>	<del>\$16,230,407</del>	<del>\$2,851,456</del>
22	<del>Less estimated income</del>	<del>10,627,242</del>	<del>2,434,406</del>
23	<u>Total all funds</u>	<u>\$16,230,407</u>	<u>\$1,951,456</u>
24	<u>Less estimated income</u>	<u>10,627,242</u>	<u>1,534,406</u>

1	Total general fund	\$5,603,165	\$417,050	\$6,020,215
2	Full-time equivalent positions	43.00	0.00	43.00

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

4       **SIXTY-THIRD LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time funding  
5 items approved by the sixty-first legislative assembly for the 2009-11 biennium and the 2011-13  
6 one-time funding items included in the appropriation in section 1 of this Act:

7	<u>One-Time Funding Description</u>	<u>2009-11</u>	<u>2011-13</u>
8	Federal stimulus funds	\$0	\$658,217
9	Total special funds	\$0	\$658,217

10 The 2011-13 one-time funding amounts are not a part of the entity's base budget for the  
11 2013-15 biennium. The public service commission shall report to the appropriations committees  
12 of the sixty-third legislative assembly on the use of this one-time funding for the biennium  
13 beginning July 1, 2011, and ending June 30, 2013.

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

16       **49-01-05. Salary of commissioners.**

17       The annual salary of a commissioner is ~~eighty-five~~ninety-two thousand eight hundred  
18 ~~thirty~~twenty-six dollars through June 30, ~~2010~~2012, and ~~ninety~~ninety-five thousand ~~one~~six  
19 hundred ~~twenty-two~~eleven dollars thereafter. All fees received or charged by any commissioner  
20 for any act or service rendered in any official capacity must be accounted for and paid over by  
21 the commissioner monthly to the state treasurer and must be credited to the general fund of the  
22 state.

23       ~~**SECTION 4. TRANSFER AND REPAYMENT - BEGINNING FARMER REVOLVING LOAN**~~

24 ~~**FUND.** The sum of \$900,000, or so much of the sum as may be necessary, included in the~~  
25 ~~estimated income line item in section 1 of this Act, shall be transferred by the Bank of North~~  
26 ~~Dakota from the beginning farmer revolving loan fund to the public service commission to pay~~  
27 ~~for costs associated with a rail rate complaint case. Transfers shall be made during the~~  
28 ~~biennium beginning July 1, 2011, and ending June 30, 2013, upon order of the commission. If~~  
29 ~~any amounts are spent pursuant to this section, the public service commission shall reimburse~~  
30 ~~the beginning farmer revolving loan fund using amounts available from damages or proceeds~~  
31 ~~received, net of legal fees, from a successful outcome of a rail rate complaint case.~~

1        **SECTION 4. LEGISLATIVE MANAGEMENT STUDY - PIPELINE SAFETY STUDY.** During  
2 the 2011-12 interim, the legislative management shall consider studying gas pipelines in the  
3 state focusing on safety concerns of gas utility distribution and transmission. The study must  
4 include all pipeline activity and address the jurisdiction of pipelines in the state in consultation  
5 with the public service commission, industrial commission, and North Dakota one call. The  
6 legislative management shall report its findings and recommendations, together with any  
7 legislation required to implement the recommendations, to the sixty-third legislative assembly.