

March 24, 2017

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1008

Page 1, line 2, after the first semicolon insert "to amend and reenact section 57-43.2-19 of the North Dakota Century Code, relating to the special fuels excise taxes distribution of funds;"

Page 1, replace line 12 with:

| | | | |
|---------------------|-------------|-------------|--------------|
| "Salaries and wages | \$9,643,095 | (\$345,811) | \$9,297,284" |
|---------------------|-------------|-------------|--------------|

Page 1, replace line 14 with:

| | | | |
|-----------------|--------|----------|---------|
| "Capital assets | 26,400 | (16,400) | 10,000" |
|-----------------|--------|----------|---------|

Page 1, replace lines 18 through 23 with:

| | | | |
|--------------------------------|-------------------|--------------------|-------------------|
| "Railroad safety program | 523,345 | 41,323 | 564,668 |
| Specialized legal services | <u>150,000</u> | <u>380,000</u> | <u>530,000</u> |
| Total all funds | \$21,140,402 | (\$1,988,624) | \$19,151,778 |
| Less estimated income | <u>13,964,575</u> | <u>(1,543,559)</u> | <u>12,421,016</u> |
| Total general fund | \$7,175,827 | (\$445,065) | \$6,730,762 |
| Full-time equivalent positions | 46.00 | (1.00) | 45.00" |

Page 2, line 2, replace "\$125,934" with "\$116,809"

Page 2, line 2, replace "\$76,487" with "\$70,945"

Page 2, line 3, replace "\$1,249" with "\$1,241"

Page 2, replace lines 9 through 12 with:

| | | |
|-----------------------------|------------------|------------------|
| "Specialized legal services | <u>\$575,624</u> | <u>\$436,000</u> |
| Total all funds | \$575,624 | \$436,000 |
| Total special funds | <u>336,000</u> | <u>436,000</u> |
| Total general fund | \$239,624 | \$0" |

Page 2, line 27, replace "\$300,000" with "\$100,000"

Page 2, after line 29, insert:

"SECTION 6. AMENDMENT. Section 57-43.2-19 of the North Dakota Century Code is amended and reenacted as follows:

57-43.2-19. (Effective July 1, 2015, through June 30, 2019) Transfer, deposit, and distribution of funds.

All taxes, license fees, penalties, and interest collected under this chapter must be transferred to the state treasurer who shall deposit moneys in a highway tax distribution fund, except all special fuels excise taxes collected on sales of diesel fuel to a railroad under section 57-43.2-03 of up to two hundred ~~seventy-five~~eighty-five thousand dollars per year must be transferred to the state treasurer who shall deposit the moneys in the rail safety fund. The highway tax distribution fund must be distributed in the manner as prescribed by section 54-27-19.

(Effective after June 30, 2019) Transfer, deposit, and distribution of funds.

All taxes, license fees, penalties, and interest collected under this chapter must be transferred to the state treasurer who shall deposit moneys in the highway tax distribution fund. The highway tax distribution fund must be distributed in the manner as prescribed by section 54-27-19."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

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

| | Base Budget | House Version | Senate Changes | Senate Version |
|-----------------------------------|---------------------|----------------------|-----------------------|-----------------------|
| Salaries and wages | \$9,643,095 | \$8,980,993 | \$316,291 | \$9,297,284 |
| Operating expenses | 1,877,562 | 1,829,826 | | 1,829,826 |
| Capital assets | 26,400 | | 10,000 | 10,000 |
| Grants | 20,000 | 20,000 | | 20,000 |
| Abandoned mined lands contractual | 8,000,000 | 6,000,000 | | 6,000,000 |
| Rail rate complaint case | 900,000 | 900,000 | | 900,000 |
| Railroad safety program | 523,345 | 529,088 | 35,580 | 564,668 |
| Specialized legal services | 150,000 | 730,000 | (200,000) | 530,000 |
| Total all funds | \$21,140,402 | \$18,989,907 | \$161,871 | \$19,151,778 |
| Less estimated income | 13,964,575 | 12,588,603 | (167,587) | 12,421,016 |
| General fund | \$7,175,827 | \$6,401,304 | \$329,458 | \$6,730,762 |
| FTE | 46.00 | 44.00 | 1.00 | 45.00 |

Department No. 408 - Public Service Commission - Detail of Senate Changes

| | Adjusts Funding for Health Insurance Increases¹ | Adjusts Funding for Salaries and Wages² | Converts Temporary Railroad Safety Inspector to FTE Position³ | Adds Funding for Capital Assets⁴ | Reduces One-Time Funding for Specialized Legal Services⁵ | Total Senate Changes |
|-----------------------------------|---|---|---|--|--|-----------------------------|
| Salaries and wages | (\$8,709) | \$325,000 | | | | \$316,291 |
| Operating expenses | | | | | | |
| Capital assets | | | | 10,000 | | 10,000 |
| Grants | | | | | | |
| Abandoned mined lands contractual | | | | | | |
| Rail rate complaint case | | | | | | |
| Railroad safety program | (416) | | 35,996 | | | 35,580 |
| Specialized legal services | | | | | (200,000) | (200,000) |
| Total all funds | (\$9,125) | \$325,000 | \$35,996 | \$10,000 | (\$200,000) | \$161,871 |
| Less estimated income | (3,583) | 0 | 35,996 | 0 | (200,000) | (167,587) |
| General fund | (\$5,542) | \$325,000 | \$0 | \$10,000 | \$0 | \$329,458 |
| FTE | 0.00 | 0.00 | 1.00 | 0.00 | 0.00 | 1.00 |

¹ Funding for employee health insurance is adjusted to reflect the updated premium amount of \$1,241 per month. Section 2 of the bill is also changed to reflect the revised amount.

² The Senate restored \$325,000 to salaries and wages to underfund salaries and wages by \$150,000 from the general fund. The House underfunded salaries and wages by \$475,000 from the general fund.

³ Provides \$35,966 from the rail safety fund to convert a temporary railroad safety inspector to a FTE position with a total cost of \$226,727.

⁴ Adds \$10,000 from the general fund for capital assets. The House removed all funding for capital assets.

⁵ Reduces one-time funding from the strategic investment and improvements fund by \$200,000 for specialized legal services to provide a total of \$100,000 from the strategic investment and improvements fund. The House provided \$300,000 from the strategic investment and improvements fund.

This amendment also amends North Dakota Century Code Section 57-43.2-19 to increase the amount of special fuels excise tax collections on sales of diesel fuel to a railroad that are deposited in the rail safety fund from \$275,000 to \$285,000 per year.