

Sixty-fifth
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1008

Introduced by

Appropriations Committee

1 A BILL for an Act to provide an appropriation for defraying the expenses of the public service
2 commission; to provide for a legislative management study; and to authorize transfers.

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

4 **SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds
5 as may be necessary, are appropriated out of any moneys in the general fund in the state
6 treasury, not otherwise appropriated, and from special funds derived from federal funds and
7 other income, to the public service commission for the purpose of defraying the expenses of the
8 public service commission, for the biennium beginning July 1, 2017, and ending June 30, 2019,
9 as follows:

		Adjustments or	
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
12 Salaries and wages	\$9,643,095	(\$662,102)	\$8,980,993
13 Operating expenses	1,877,562	(47,736)	1,829,826
14 Capital assets	26,400	(26,400)	0
15 Grants	20,000	0	20,000
16 Abandoned mined lands contractual	8,000,000	(2,000,000)	6,000,000
17 Rail rate complaint case	900,000	0	900,000
18 Railroad safety program	523,345	5,743	529,088
19 Specialized legal services	<u>150,000</u>	<u>580,000</u>	<u>730,000</u>
20 Total all funds	\$21,140,402	(\$2,150,495)	\$18,989,907
21 Less estimated income	<u>13,964,575</u>	<u>(1,375,972)</u>	<u>12,588,603</u>
22 Total general fund	\$7,175,827	(\$774,523)	\$6,401,304
23 Full-time equivalent positions	46.00	(2.00)	44.00

1 **SECTION 2. HEALTH INSURANCE INCREASE.** The appropriation in section 1 of this Act
2 includes the sum of \$125,934, of which \$76,487 is from the general fund, for increases in
3 employee health insurance premiums from \$1,130 to \$1,249 per month.

4 **SECTION 3. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO**
5 **SIXTY-SIXTH LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time funding
6 items approved by the sixty-fourth legislative assembly for the 2015-17 biennium and the
7 2017-19 one-time funding items included in the appropriation in section 1 of this Act:

8 <u>One-Time Funding Description</u>	<u>2015-17</u>	<u>2017-19</u>
9 Specialized legal services	<u>\$575,624</u>	<u>\$636,000</u>
10 Total all funds	\$575,624	\$636,000
11 Total special funds	<u>336,000</u>	<u>636,000</u>
12 Total general fund	\$239,624	\$0

13 The 2017-19 one-time funding amounts are not a part of the entity's base budget for the
14 2019-21 biennium. The public service commission shall report to the appropriations committees
15 of the sixty-sixth legislative assembly on the use of this one-time funding for the biennium
16 beginning July 1, 2017, and ending June 30, 2019.

17 **SECTION 4. TRANSFER AND REPAYMENT - BEGINNING FARMER REVOLVING LOAN**
18 **FUND.** The Bank of North Dakota shall transfer from the beginning farmer revolving loan fund to
19 the public service commission the sum of \$900,000, or so much of the sum as may be
20 necessary, included in the estimated income line item in section 1 of this Act to pay for costs
21 associated with a rail rate complaint case. Transfers must be made during the biennium
22 beginning July 1, 2017, and ending June 30, 2019, upon order of the commission. If any
23 amounts are spent pursuant to this section, the public service commission shall reimburse the
24 beginning farmer revolving loan fund using amounts available from damages or proceeds
25 received, net of legal fees, from a successful outcome of a rail complaint case.

26 **SECTION 5. ESTIMATED INCOME - STRATEGIC INVESTMENT AND IMPROVEMENTS**
27 **FUND.** The estimated income line item in section 1 of this Act includes \$300,000, of one-time
28 funding from the strategic investment and improvements fund for specialized legal service costs
29 during the biennium beginning July 1, 2017, and ending June 30, 2019.

30 **SECTION 6. LEGISLATIVE MANAGEMENT STUDY - IMPACT OF WIND ENERGY.**

- 1 1. During the 2017-18 interim, the legislative management shall consider studying the
2 impact of wind energy development on the environment, addressing and researching
3 issues common to North Dakota landowners, and identifying potential issues for
4 legislation. The study may include consideration of:
 - 5 a. The impact of wind energy development on the environment, including aesthetic
6 impacts;
 - 7 b. The impact of wind energy development on property values;
 - 8 c. The impact of wind energy development on agriculture;
 - 9 d. The advantages and disadvantages of implementing legislation for pooling or
10 unitization of wind resources similar to that of the oil and gas industry in chapter
11 38-08; and
 - 12 e. The necessary processes for the decommissioning of a wind energy project.
- 13 2. The legislative management shall report its findings and recommendations, together
14 with any legislation required to implement the recommendations, to the sixty-sixth
15 legislative assembly.