

**Public Service Commission  
Budget No. 408  
House Bill No. 1008**

	<b>FTE Positions</b>	<b>General Fund</b>	<b>Other Funds</b>	<b>Total</b>
2013-15 executive budget (bills as introduced)	43.00	\$6,563,223	\$13,082,083	\$19,645,306
<b>2013-15 legislative appropriations</b>	<b>44.00</b>	<b>7,091,740</b>	<b>13,387,469</b>	<b>20,479,209</b>
Legislative increase (decrease) to executive budget	1.00	\$528,517	\$305,386	\$833,903
Legislative increase (decrease) to 2011-13 appropriations	1.00	\$1,071,525	\$325,821	\$1,397,346

**ONGOING AND ONE-TIME GENERAL FUND APPROPRIATIONS**

	<b>Ongoing General Fund Appropriation</b>	<b>One-Time General Fund Appropriation</b>	<b>Total General Fund Appropriation</b>
2011-13 legislative appropriations	\$6,020,215	\$0	\$6,020,215
<b>2013-15 legislative appropriations</b>	<b>6,667,660</b>	<b>424,080</b>	<b>7,091,740</b>
2013-15 legislative increase (decrease) to 2011-13 appropriations	\$647,445	\$424,080	\$1,071,525
Percentage increase (decrease) to 2011-13 appropriations	10.8%	N/A	17.8%
2013-15 legislative increase (decrease) to executive budget	\$114,517	\$414,000	\$528,517
Percentage increase (decrease) to executive budget	1.7%	4,107.1%	8.1%

**SUMMARY OF LEGISLATIVE CHANGES TO THE EXECUTIVE BUDGET AND MAJOR FUNDING ITEMS**

**Salaries and Wages**

The legislative action affecting the recommended appropriation for the Public Service Commission is in accordance with legislative salary and fringe benefits guidelines as contained in House Bill No. 1015. Consistent with the guidelines, a portion of salaries and wages funding from the general fund (\$105,071) and from other funds (\$63,207) for permanent employees' compensation and benefits is reallocated to an accrued leave payments line item for paying accrued annual leave and sick leave for eligible employees.

	<b>Major Items FTE Positions</b>	<b>General Fund</b>	<b>Other Funds</b>	<b>Total</b>
The legislative action:				
Adjusted funding for state employee salaries and benefits consistent with the legislative compensation package guidelines included in House Bill No. 1015.		(\$51,811)	(\$30,614)	(\$82,425)
Added a weights and measures FTE position and related funding.	1.00	203,828		203,828

Provided additional funding for potential litigation costs relating to the coal mining and reclamation program; abandoned mine lands reclamation program; and grain warehouse, grain buyer, and hay buyer licensing and insolvencies.	414,000	336,000	750,000
Removed funding for geographic information system and disk upgrades from the operating expenses line item.	(37,500)		(37,500)
Total	<u>1.00</u>	<u>\$528,517</u>	<u>\$833,903</u>

### FTE Changes

The 2013-15 biennium appropriation includes funding for 44 FTE positions, an increase of 1 FTE position from the 2011-13 biennium authorized level of 43 FTE positions. The Legislative Assembly added 1 FTE weights and measures position.

### One-Time Funding

In Section 2 of House Bill No. 1008, the Legislative Assembly provided \$750,000 of one-time funding, of which \$414,000 is from the general fund for reclamation and grain licensing litigation costs.

### Other Sections in Bill

**Salary of commissioners** - Section 3 provides statutory changes to North Dakota Century Code Section 49-01-05 relating to the salaries of the Public Service Commissioners. The Legislative Assembly authorized a 2013-15 biennium salary increase of 4 percent effective July 1, 2013, and 3 percent effective July 1, 2014, for elected officials. The commissioners' salaries are to increase from \$95,611 to \$99,435 on July 1, 2013, and \$102,418 on July 1, 2014.

**Legislative Management civil penalties study** - Section 4 provides for the Legislative Management to consider studying civil penalties assessed and collected by state agencies, including a review of the funds into which the collections are deposited and the appropriateness of the use of funds collected.

**Legislative Management metrology laboratory study** - Section 5 provides for the Legislative Management to consider studying the feasibility and desirability of constructing a new metrology laboratory.

**Fees to test or calibrate weighing and measuring devices** - Section 6 amends Section 64-02-10 relating to the fee schedule of the large scale weights and measures program. This change is estimated to result in a \$200,000 reduction of general fund revenue for the 2013-15 biennium.

**Rail rate complaint case funding** - Section 7 provides a transfer of up to \$900,000 from the Bank of North Dakota beginning farmer revolving loan fund to the Public Service Commission to pay for costs associated with a rail rate complaint case. If any amount is spent, the Public Service Commission is to reimburse the beginning farmer revolving loan fund using amounts from damages or proceeds received, net of legal fees, from a successful outcome of a rail rate complaint case.

**Gas pipeline safety inspector and public utility analyst** - Section 8 provides legislative intent for the Public Service Commission to proceed in the hiring process of the gas pipeline safety inspector and public utility analyst prior to June 30, 2013.

**Emergency clause** - Section 9 provides for an emergency clause for the hiring of the 2 FTE positions listed in Section 8.

### Related Legislation

**Senate Bill No. 2112** increases public utility application fees.

**Senate Bill No. 2239** amends Section 49-22-04 requiring utility companies to submit a 10-year plan to the Public Service Commission and update the plan every second year after its initial submission.