

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2008

That the House recede from its amendments as printed on pages 1627-1629 of the Senate Journal and pages 1836-1838 of the House Journal and that Engrossed Senate Bill No. 2008 be amended as follows:

Page 1, line 4, after the first semicolon insert "to provide for a study;"

Page 1, remove lines 15 through 24

Page 2, replace lines 1 and 2 with:

"Salaries and wages	\$9,197,284	\$298,276	\$9,495,560
Operating expenses	1,829,826	(66,000)	1,763,826
Capital assets	10,000	15,000	25,000
Grants	20,000	0	20,000
Abandoned mined lands contractual	6,000,000	0	6,000,000
Rail rate complaint case	900,000	0	900,000
Railroad safety program	564,668	24,350	589,018
Specialized legal services	<u>94,000</u>	<u>336,000</u>	<u>430,000</u>
Total all funds	\$18,615,778	\$607,626	\$19,223,404
Less estimated income	<u>11,985,016</u>	<u>523,460</u>	<u>12,508,476</u>
Total general fund	\$6,630,762	\$84,166	\$6,714,928
Full-time equivalent positions	45.00	(2.00)	43.00"

Page 2, after line 24, insert :

"SECTION 4. APPROPRIATION - GRAIN INSOLVENCY LITIGATION. There is appropriated from special funds derived from other income to be received from the agriculture commissioner, the sum of \$100,000, or so much of the sum as may be necessary, to the public service commission, for the purpose of continuing to provide, in consultation with the agriculture commissioner, services related to grain insolvency litigation initiated prior to July 1, 2019. The funding provided in this section is considered a one-time funding item."

Page 2, line 29, replace "fourteen" with "thirteen"

Page 2, line 30, remove the overstrike over "six"

Page 2, line 30, remove "one"

Page 2, line 30, remove "fifty-four"

Page 3, line 5, remove the overstrike over "~~(Effective July 1, 2015,~~"

Page 3, line 6, remove the overstrike over "~~through June 30,~~"

Page 3, line 6, after "~~2019)~~" insert "2021)"

Page 3, line 10, replace "six hundred fifty-five" with "five hundred nine"

Page 3, line 14, remove the overstrike over "~~Transfer, deposit, and distribution of funds. (Effective after June 30,~~"

Page 3, line 14, after "~~2019~~" insert "2021"

Page 3, line 14, remove the overstrike over "All taxes,"

Page 3, remove the overstrike over lines 15 through 17

Page 3, after line 17, insert:

"SECTION 7. RAILROAD INSPECTION STUDY. During the 2019-20 interim, the public service commission shall study technology available to create efficiencies to reduce costs for railroad equipment and track inspections. The commission shall report its findings and any related budget recommendations to the appropriations committees of the sixty-seventh legislative assembly."

Re-number accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2008 - Public Service Commission - Conference Committee Action

	Base Budget	Senate Version	Conference Committee Changes	Conference Committee Version	House Version	Comparison to House
Salaries and wages	\$9,197,284	\$10,063,825	(\$568,265)	\$9,495,560	\$9,330,067	\$165,493
Operating expenses	1,829,826	1,883,826	(120,000)	1,763,826	1,758,826	5,000
Capital assets	10,000	25,000		25,000	25,000	
Grants	20,000	20,000		20,000	20,000	
Abandoned mined lands contractual	6,000,000	6,000,000		6,000,000	6,000,000	
Rail rate complaint case	900,000	900,000		900,000	900,000	
Railroad safety program	564,668	589,310	(292)	589,018	589,018	
Specialized legal services	94,000	430,000		430,000	430,000	
Grain licensing			100,000	100,000		100,000
Total all funds	\$18,615,778	\$19,911,961	(\$588,557)	\$19,323,404	\$19,052,911	\$270,493
Less estimated income	11,985,016	12,514,674	93,802	12,608,476	12,508,476	100,000
General fund	\$6,630,762	\$7,397,287	(\$682,359)	\$6,714,928	\$6,544,435	\$170,493
FTE	45.00	46.00	(3.00)	43.00	43.00	0.00

Department 408 - Public Service Commission - Detail of Conference Committee Changes

	Adjusts Funding for Salary Increases ¹	Transfers Grain Warehouse Inspection Program to the Agriculture Commissioner ²	Adds Funding for an Accounting Budget Specialist Position ³	Adds Funding for Grain Licensing Services ⁴	Total Conference Committee Changes
Salaries and wages	(\$5,259)	(\$728,499)	\$165,493		(\$568,265)
Operating expenses		(125,000)	5,000		(120,000)
Capital assets					
Grants					
Abandoned mined lands contractual					
Rail rate complaint case					
Railroad safety program	(292)				(292)
Specialized legal services					
Grain licensing legal services				\$100,000	100,000
Total all funds	(\$5,551)	(\$853,499)	\$170,493	\$100,000	(\$588,557)
Less estimated income	(6,198)	0	0	100,000	93,802
General fund	\$647	(\$853,499)	\$170,493	\$0	(\$682,359)
FTE	0.00	(3.00)	0.00	0.00	(3.00)

¹ Funding is adjusted to provide for employee salary increases of 2 percent on July 1, 2019, with a minimum monthly increase of \$120 and a maximum monthly increase of \$200, and an increase of 2.5 percent on July 1, 2020, the

same as the House version. The Senate provided funding for salary increases of 2 percent on July 1, 2019, and 3 percent on July 1, 2020.

² Transfers the grain warehouse license and inspection program to the Agriculture Commissioner, the same as the House version, as follows:

	Salaries and Wages	Operating Expenses	Total General Fund
Removes 3 FTE grain warehouse inspectors	\$563,006	\$120,000	\$683,006
Removes funding for an accounting budget specialist	165,493	5,000	170,493
Total removed	\$728,499	\$125,000	\$853,499

³ Adds funding for the repurposing of an existing unfunded FTE position to an accounting budget specialist position (\$165,493) and related operating expenses (\$5,000), to assist with accounting duties of the agency.

⁴ Adds a section to provide one-time funding from special funds to continue providing services related to grain insolvency litigation initiated prior to July 1, 2019. The funding will be provided by the Agriculture Commissioner. Neither the House nor the Senate version included this section.

This amendment also:

- Provides the statutory changes to increase the Public Service Commissioners' salaries. The Public Service Commissioners' annual salaries would increase from the current level of \$108,656 to \$110,829, effective July 1, 2019, and to \$113,600, effective July 1, 2020, to reflect the 2 percent and 2.5 percent salary increases, the same as the House version. The Senate adjusted salaries by 2 percent on July 1, 2019, and 3 percent on July 1, 2020.
- Amends North Dakota Century Code Section 57-43.2-19 relating to the distribution of funds in the highway tax distribution fund to provide for the allocation to the rail safety fund to continue until June 30, 2021, and to increase the allocation amount from \$285,000 per year to \$294,509 per year, the same as the House version. The Senate removed the expiration date and provided an increase to \$294,655 per year.
- Requires the Public Service Commission to study, during the 2019-20 interim, technology available to create efficiencies to reduce costs for railroad equipment and track inspections. The commission is to report its findings and related budget recommendations to the 67th Legislative Assembly. The House also included this section.