

MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION
SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

2008

2007 SENATE APPROPRIATIONS

SB 2008

2007 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. 2008

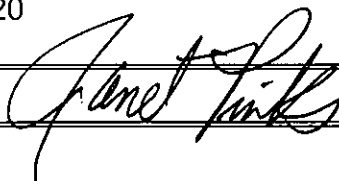
Senate Appropriations

Check here for Conference Committee

Hearing Date: 01/12/07

Recorder Job Number 1020

Committee Clerk Signature



Minutes:

Chairman Holmberg opened the hearing on SB 2008 with roll call and indicating the sub-committee would include Senators Christmann, Kilzer, and Krauter.

Susan Wefald, President, Public Service Commission, presented written testimony (1), introduced Commissioners Kevin Cramer, Tony Clark, the executive secretary and other division directors, and discussed the operations, statutory mandates, and resource needs of the PSC. She requested favorable support of the budget in addition to additional funding requests. The Governor's budget includes some changes, however, the PSC is also requesting an additional monetary amount to purchase weights and measures equipment. She discussed the Public Utilities, the Licensing, the Agriculture Rail Rate and Service Fund, the Administration, the Reclamation, the Abandoned Mine Lands, the Testing and Safety, and presented a summary.

Questions were raised about the needs for a new building, the cell phone service in rural North Dakota, what department the federal monies come from as well as the accountability of the money, whether there was money leftover in the Rail Rate and Service Fund, and the ability to roll over those funds.

1-12-07

Dan Wagsland, Executive Director, ND Grain Growers Association, presented written testimony (2) in support of the Agriculture Rail Rate and Service Fund line item. He indicated since the implementation of this fund, lines of communication have been opened and improved between BNSF and the producers, rail rates and fuel surcharges were restructured by BNSF, rail service has improved.

Woody Barth, Lobbyist, ND Farmers Union, testified (no handout) in support of the budget but he preferred the money not be taken from the Beginning Farmers Loan Fund as the fund is being drawn down and there is a need to use the funds as they were intended, for beginning farmers.

John Rush, testified (no handout) on the Agriculture Rail Rate and Service Fund and suggested the fund name be changed to Public Interest Rail Fund which would then enable employees to work with the PSC.

Senator Krauter requested that an analysis be provided to the appropriations of the Beginning Farmers Loan Fund.

Chairman Holmberg closed the hearing on SB 2008.

Written testimony from **Steve Strege, Executive Vice President, ND Grain Dealers Association**, was submitted after the hearing closed and is included with this file.

2007 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. 2008

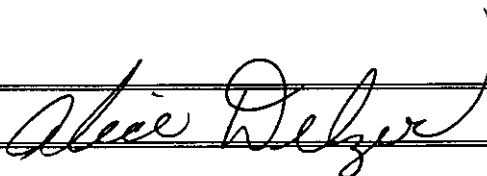
Senate Appropriations Committee

Check here for Conference Committee

Hearing Date: 02-01-07

Recorder Job Number: 2574

Committee Clerk Signature



Minutes:

Chairman Christmann opened the Subcommittee hearing on SB 2008 on February 1, 2007.

Senators Kilzer and Krauter were also present at this hearing. Discussion followed regarding Weight and Measures Equipment, FTE's , Salary issues, Wireless cell phone and RR employees.

Senator Krauter had questions regarding a listing of contract services from all agencies. It was requested at the beginning of the session, and has not received that information yet. OMB said they would resend it out on Email. He also requested information Risk Management, the GPS system, if funds were appropriated regarding GPS system and operating expenses

Chairman Christmann had questions regarding the GIS Support Person, Mine permit applications, the energy industry, the involvement of the federal government. There was discussion about visiting the lab.

Other persons at the meeting are as follows: All from PSC, Tony Clark, Kevin Hanson, Al Moch, Kevin Cramer and Mike Diller.

The Subcommittee hearing on SB 2008 was closed.

2007 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. 2008

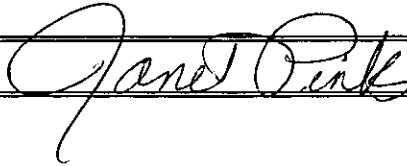
Senate Appropriations Committee

Check here for Conference Committee

Hearing Date: 02-12-07

Recorder Job Number: 3371

Committee Clerk Signature



Minutes:

Chairman Holmberg opened the hearing on SB 2008 indicating this is the PSC bill.

Senator Christmann distributed amendment .0102 and discussed the amendment indicating the subcommittee had voted on this amendment.

Senator Krauter discussed the amendment for the utility valuation investment and increased fund allows additional amounts to defray costs of investigation to specific wireless carriers.

Senator Christmann clarified the procedure for the amendments with responses from Chairman Holmberg and Senator Grindberg.

Senator Christmann moved a do pass on amendment .0102, Senator Kilzer seconded.

Discussion followed. A roll call vote was taken resulting in 5 yes, 9 no, 0 absent this is do not pass on this amendment.

Senator Christmann distributed amendments .0101 and 0103 and discussed them.

Senator Krauter moved a do pass on amendment .0103, Senator Seymour seconded.

Discussion followed. A roll Call vote was taken resulting in 5 yes, 9 no and 0 absent.

The motion failed resulting in a do not pass on amendment .0103.

Senator Christmann moved a do pass on amendment .0101, Senator Krauter seconded.

An oral vote was taken resulting in a do pass on amendment .0101.

Page 2

Senate Appropriations Committee

Bill/Resolution No. 2008

Hearing Date: 02/12/07

Senator Christmann moved a do pass on SB 2008 as amend with .0101, Senator Krauter seconded. Discussion followed. The resulting vote was 14 yes, 0 no, 0 absent. The motion carried and Senator Christmann will carry the bill.

Chairman Holmberg closed the hearing on SB 2008.

FISCAL NOTE
 Requested by Legislative Council
 04/24/2007

Amendment to: Engrossed
 SB 2008

1A. **State fiscal effect:** *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	2005-2007 Biennium		2007-2009 Biennium		2009-2011 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues	\$0	\$0	(\$96,789)	\$0	(\$96,789)	\$0
Expenditures	\$0	\$0	\$32,235	\$0	\$32,235	\$0
Appropriations	\$0	\$0	\$32,235	\$0	\$32,235	\$0

1B. **County, city, and school district fiscal effect:** *Identify the fiscal effect on the appropriate political subdivision.*

2005-2007 Biennium			2007-2009 Biennium			2009-2011 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts
\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0

2A. **Bill and fiscal impact summary:** *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

This fiscal note is limited to the revenue impact of the conf committee changes. The changes eliminated an FTE and reduced the mandatory frequency of device testing. Revenue impact will vary depending on how the changes are implemented. (see previous fiscal note for impact of original measure)

B. Fiscal impact sections: *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

Sections 6, 7 and 8 of the bill reduce the frequency of mandatory weighing and measuring device testing.

3. **State fiscal effect detail:** *For information shown under state fiscal effect in 1A, please:*

A. Revenues: *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

Estimated revenue per biennium per light duty inspector is \$96,789, so reducing frequency to that which can be tested by 2 rather than 3 light duty inspectors could reduce revenue by \$96,789. A different option would be to eliminate state testing of a certain type of device, for example, bulk fuel meters. Estimated revenue loss due to not testing bulk fuel meters (truck and stationary) is \$55,740.

B. Expenditures: *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

(see previous fiscal note)

C. Appropriations: *Explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation is also included in the executive budget or relates to a continuing appropriation.*

(see previous fiscal note)

Name:	Illona Jeffcoat-Sacco	Agency:	PSC
Phone Number:	701-328-2407	Date Prepared:	04/24/2007

FISCAL NOTE
 Requested by Legislative Council
 01/02/2007

Bill/Resolution No.: SB 2008

1A. **State fiscal effect:** *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	2005-2007 Biennium		2007-2009 Biennium		2009-2011 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues	\$0	\$0	\$0	\$0	\$0	\$0
Expenditures	\$0	\$0	\$32,235	\$0	\$32,235	\$0
Appropriations	\$0	\$0	\$32,235	\$0	\$32,235	\$0

1B. **County, city, and school district fiscal effect:** *Identify the fiscal effect on the appropriate political subdivision.*

2005-2007 Biennium			2007-2009 Biennium			2009-2011 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts
\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0

2A. **Bill and fiscal impact summary:** *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

SB 2008 is the PSC's appropriation bill. It also includes statutory increases in commissioners' salaries for each year of the 2007-2009 biennium. This fiscal note is limited to the incremental impact of the commissioners statutory salary increases and related variable benefits.

B. **Fiscal impact sections:** *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

Section 5 of the bill provides for salary increase for the commissioners. See note to 2A

3. **State fiscal effect detail:** *For information shown under state fiscal effect in 1A, please:*

A. **Revenues:** *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

n/a

B. **Expenditures:** *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

\$32,235 each biennium (07-09 and 09-11) See note to 2A

C. **Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation is also included in the executive budget or relates to a continuing appropriation.*

\$32,235 each biennium (07-09 and 09-11) See note to 2A

Name:	Ilona Jeffcoat-Sacco	Agency:	PSC
Phone Number:	328-2407	Date Prepared:	01/09/2007

PROPOSED AMENDMENTS TO SENATE BILL NO. 2008

Page 1, line 2, remove the first "and"

Page 1, line 3, after "commissioners" insert "; and to limit a portion of funding from the utility valuation fund"

Page 1, line 22, replace "220,048" with "295,048"

Page 1, line 23, replace "18,989" with "49,473"

Page 2, line 4, replace "1,608,577" with "1,714,061"

Page 2, line 5, replace "1,068,231" with "1,143,231"

Page 2, line 6, replace "540,346" with "570,830"

Page 2, line 13, replace "1,628,201" with "1,703,201"

Page 2, line 14, replace "107,500" with "137,984"

Page 2, line 18, replace "12,908,565" with "13,014,049"

Page 2, line 19, replace "8,005,382" with "8,080,382"

Page 2, line 20, replace "4,903,183" with "4,933,667"

Page 2, line 21, after "EXEMPTION" insert "- LIMIT"

Page 2, line 25, after the period insert "The \$800,000 appropriated in section 3 of this Act from the beginning farmer revolving loan fund is limited to the amount of any unspent beginning farmer revolving loan funds from the 2005-07 biennium appropriation, as contained in section 3 of chapter 8 of the 2005 Session Laws."

Page 3, after line 3, insert:

"SECTION 6. USE OF VALUATION FUND - ELIGIBLE TELECOMMUNICATIONS CARRIER CASES. The amount of \$75,000 included in section 3 of this Act from the utility valuation fund may only be used to defray the costs of investigating and processing eligible telecommunications carrier cases."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

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

	EXECUTIVE BUDGET	SENATE CHANGES	SENATE VERSION
Salaries and wages	\$5,764,864		\$5,764,864
Operating expenses	1,628,201	\$75,000	1,703,201
Capital assets	107,500	30,484	137,984

Grants	8,000		8,000
Abandoned mined lands contractual services	4,500,000		4,500,000
Agriculture rail rate and service fund	900,000		900,000
Total all funds	\$12,908,565	\$105,484	\$13,014,049
Less estimated income	<u>8,005,382</u>	<u>75,000</u>	<u>8,080,382</u>
General fund	\$4,903,183	\$30,484	\$4,933,667
FTE	42.00	0.00	42.00

Dept. 408 - Public Service Commission - Detail of Senate Changes

	ADDS FUNDING FOR FUEL TESTING EQUIPMENT 1	ADDS FUNDING FOR INVESTIGATIONS 2	TOTAL SENATE CHANGES
Salaries and wages			
Operating expenses		\$75,000	\$75,000
Capital assets	\$30,484		30,484
Grants			
Abandoned mined lands contractual services			
Agriculture rail rate and service fund			
Total all funds	\$30,484	\$75,000	\$105,484
Less estimated income		<u>75,000</u>	<u>75,000</u>
General fund	\$30,484	\$0	\$30,484
FTE	0.00	0.00	0.00

1 Adds funding for a prover to be used to test high flow retail dispensers.

2 Adds funding from the utility valuation fund to defray the costs of investigating and processing eligible telecommunications carrier cases.

Date: 2/12/07
 Roll Call Vote #: 1

**2007 SENATE STANDING COMMITTEE ROLL CALL VOTES
 BILL/RESOLUTION NO.**

Senate Appropriations Committee

Check here for Conference Committee

Legislative Council Amendment Number 0102

Action Taken D P Amend

Motion Made By Christman Seconded By Kilzer

Senators	Yes	No	Senators	Yes	No
Senator Ray Holmberg, Chrm		✓	Senator Aaron Krauter	✓	
Senator Bill Bowman, V Chrm		✓	Senator Elroy N. Lindaas	✓	
Senator Tony Grindberg, V Chrm		✓	Senator Tim Mathern	✓	
Senator Randel Christmann		✓	Senator Larry J. Robinson	✓	
Senator Tom Fischer		✓	Senator Tom Seymour		✓
Senator Ralph L. Kilzer		✓	Senator Harvey Tallackson	✓	
Senator Karen K. Krebsbach		✓			
Senator Rich Wardner		✓			

Total (Yes) 5 No 9

Absent _____

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent:

dead

PROPOSED AMENDMENTS TO SENATE BILL NO. 2008

Page 1, line 2, remove the first "and"

Page 1, line 3, after "commissioners" insert "; and to limit a portion of funding from the utility valuation fund"

Page 1, line 22, replace "220,048" with "295,048"

Page 1, line 23, replace "18,989" with "49,473"

Page 2, line 4, replace "1,608,577" with "1,714,061"

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Page 2, line 13, replace "1,628,201" with "1,703,201"

Page 2, line 14, replace "107,500" with "137,984"

Page 2, line 18, replace "12,908,565" with "13,014,049"

Page 2, line 19, replace "8,005,382" with "8,080,382"

Page 2, line 20, replace "4,903,183" with "4,933,667"

Page 2, line 21, after "EXEMPTION" insert "- LIMIT"

Page 2, line 25, after the period insert "The \$800,000 appropriated in section 3 of this Act from the beginning farmer revolving loan fund is limited to the amount of any unspent beginning farmer revolving loan funds from the 2005-07 biennium appropriation, as contained in section 3 of chapter 8 of the 2005 Session Laws."

Page 3, after line 3, insert:

"SECTION 6. USE OF VALUATION FUND - ELIGIBLE TELECOMMUNICATIONS CARRIER CASES. The amount of \$75,000 included in section 3 of this Act from the utility valuation fund may only be used to defray the costs of investigating and processing wireless eligible telecommunications carrier cases."

Re-number accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

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

	EXECUTIVE BUDGET	SENATE CHANGES	SENATE VERSION
Salaries and wages	\$5,764,864		\$5,764,864
Operating expenses	1,628,201	\$75,000	1,703,201
Capital assets	107,500	30,484	137,984

Grants	8,000		8,000
Abandoned mined lands contractual services	4,500,000		4,500,000
Agriculture rail rate and service fund	900,000		900,000
	<hr/>	<hr/>	<hr/>
Total all funds	\$12,908,565	\$105,484	\$13,014,049
Less estimated income	<u>8,005,382</u>	<u>75,000</u>	<u>8,080,382</u>
General fund	\$4,903,183	\$30,484	\$4,933,667
FTE	42.00	0.00	42.00

Dept. 408 - Public Service Commission - Detail of Senate Changes

	ADDS FUNDING FOR FUEL TESTING EQUIPMENT 1	ADDS FUNDING FOR INVESTIGATIONS 2	TOTAL SENATE CHANGES
Salaries and wages		\$75,000	\$75,000
Operating expenses			30,484
Capital assets	\$30,484		30,484
Grants			
Abandoned mined lands contractual services			
Agriculture rail rate and service fund	<hr/>	<hr/>	<hr/>
Total all funds	\$30,484	\$75,000	\$105,484
Less estimated income	<hr/>	<u>75,000</u>	<u>75,000</u>
General fund	\$30,484	\$0	\$30,484
FTE	0.00	0.00	0.00

1 Adds funding for a prover to be used to test high flow retail dispensers.

2 Adds funding from the utility valuation fund to defray the costs of investigating and processing eligible wireless telecommunications carrier cases.

Date: 2/12/07
Roll Call Vote #:

2007 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1008

Senate Appropriations Committee

Check here for Conference Committee

Legislative Council Amendment Number 0103

Action Taken DR amend

Motion Made By Krauter Seconded By Seymour

Senators	Yes	No	Senators	Yes	No
Senator Ray Holmberg, Chrm		✓	Senator Aaron Krauter	✓	
Senator Bill Bowman, V Chrm		✓	Senator Elroy N. Lindaas	✓	
Senator Tony Grindberg, V Chrm	✓	✓	Senator Tim Mathem	✓	
Senator Randel Christmann		✓	Senator Larry J. Robinson	✓	
Senator Tom Fischer		✓	Senator Tom Seymour		✓
Senator Ralph L. Kilzer		✓	Senator Harvey Tallackson	✓	
Senator Karen K. Krebsbach		✓			
Senator Rich Wardner		✓			

Total (Yes) 5 No 9

Absent 0

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent:

PROPOSED AMENDMENTS TO SENATE BILL NO. 2008

Page 1, line 23, replace "18,989" with "49,473"

Page 2, line 4, replace "1,608,577" with "1,639,061"

Page 2, line 6, replace "540,346" with "570,830"

Page 2, line 14, replace "107,500" with "137,984"

Page 2, line 18, replace "12,908,565" with "12,939,049"

Page 2, line 20, replace "4,903,183" with "4,933,667"

Page 2, line 21, after "EXEMPTION" insert "- LIMIT"

Page 2, line 25, after the period insert "The \$800,000 appropriated in section 3 of this Act from the beginning farmer revolving loan fund is limited to the amount of any unspent beginning farmer revolving loan funds from the 2005-07 biennium appropriation, as contained in section 3 of chapter 8 of the 2005 Session Laws."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

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

	EXECUTIVE BUDGET	SENATE CHANGES	SENATE VERSION
Salaries and wages	\$5,764,864		\$5,764,864
Operating expenses	1,628,201		1,628,201
Capital assets	107,500	\$30,484	137,984
Grants	8,000		8,000
Abandoned mined lands contractual services	4,500,000		4,500,000
Agriculture rail rate and service fund	900,000		900,000
Total all funds	\$12,908,565	\$30,484	\$12,939,049
Less estimated income	<u>8,005,382</u>		<u>8,005,382</u>
General fund	\$4,903,183	\$30,484	\$4,933,667
FTE	42.00	0.00	42.00

Dept. 408 - Public Service Commission - Detail of Senate Changes

	ADDS FUNDING FOR FUEL TESTING EQUIPMENT 1	TOTAL SENATE CHANGES
Salaries and wages		
Operating expenses		
Capital assets	\$30,484	\$30,484
Grants		
Abandoned mined lands contractual services		
Agriculture rail rate and service fund		
Total all funds	\$30,484	\$30,484

Less estimated income

General fund	\$30,484	\$30,484
FTE	0.00	0.00

¹ Adds funding for a prover to be used to test high flow retail dispensers.

Date: 2/12/07
 Roll Call Vote #: 3

2007 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2008

Senate Appropriations Committee

Check here for Conference Committee

Legislative Council Amendment Number .0101

Action Taken DP as amend

Motion Made By ~~Christmann~~ ~~Christmann~~ ~~Christmann~~ Seconded By Krauter

Senators	Yes	No	Senators	Yes	No
Senator Ray Holmberg, Chrm			Senator Aaron Krauter	✓	
Senator Bill Bowman, V Chrm	✓		Senator Elroy N. Lindaas	✓	
Senator Tony Grindberg, V Chrm	✓		Senator Tim Mathern	✓	
Senator Randel Christmann	✓		Senator Larry J. Robinson	✓	
Senator Tom Fischer	✓		Senator Tom Seymour	✓	
Senator Ralph L. Kilzer	✓		Senator Harvey Tallackson	✓	
Senator Karen K. Krebsbach	✓				
Senator Rich Wardner	✓				

Total (Yes) 14 No —

Absent —

Floor Assignment Christmann

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE

SB 2008: Appropriations Committee (Sen. Holmberg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2008 was placed on the Sixth order on the calendar.

Page 1, line 23, replace "18,989" with "49,473"

Page 2, line 4, replace "1,608,577" with "1,639,061"

Page 2, line 6, replace "540,346" with "570,830"

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Page 2, line 18, replace "12,908,565" with "12,939,049"

Page 2, line 20, replace "4,903,183" with "4,933,667"

Page 2, line 21, after "**EXEMPTION**" insert "- **LIMIT**"

Page 2, line 25, after the period insert "The \$800,000 appropriated in section 3 of this Act from the beginning farmer revolving loan fund is limited to the amount of any unspent beginning farmer revolving loan funds from the 2005-07 biennium appropriation, as contained in section 3 of chapter 8 of the 2005 Session Laws."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

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

	EXECUTIVE BUDGET	SENATE CHANGES	SENATE VERSION
Salaries and wages	\$5,764,864		\$5,764,864
Operating expenses	1,628,201		1,628,201
Capital assets	107,500	\$30,484	137,984
Grants	8,000		8,000
Abandoned mined lands contractual services	4,500,000		4,500,000
Agriculture rail rate and service fund	900,000		900,000
Total all funds	\$12,908,565	\$30,484	\$12,939,049
Less estimated income	<u>8,005,382</u>		<u>8,005,382</u>
General fund	\$4,903,183	\$30,484	\$4,933,667
FTE	42.00	0.00	42.00

Dept. 408 - Public Service Commission - Detail of Senate Changes

	ADDS FUNDING FOR FUEL TESTING EQUIPMENT 1	TOTAL SENATE CHANGES
Salaries and wages		
Operating expenses		
Capital assets	\$30,484	\$30,484
Grants		
Abandoned mined lands		

REPORT OF STANDING COMMITTEE (410)
February 12, 2007 6:35 p.m.

Module No: SR-29-2967
Carrier: Christmann
Insert LC: 78032.0101 Title: .0200

contractual services		
Agriculture rail rate and service fund		
Total all funds	\$30,484	\$30,484
Less estimated income		
General fund	\$30,484	\$30,484
FTE	0.00	0.00

1 Adds funding for a prover to be used to test high flow retail dispensers.

2007 HOUSE APPROPRIATIONS

SB 2008

2007 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. 2008

House Appropriations Committee
Government Operations Division

Check here for Conference Committee

Hearing Date: 2/27/07

Recorder Job Number: 3919

Committee Clerk Signature

Kanya Voegeli

Minutes:

Chairman Carlson opened the hearing on SB 2008.

Susan Wefald, President of the Public Service Commission, spoke in support of the bill. See testimony 2008.2.27.07 A.

Chairman Carlson: How does the money get increased from the Credit-Sale Contract Indemnity Fund?

Susan Wefald: The legislature authorized us to spend fund from the fees collected for the credit-sale contracts.

Representative Kempenich: Where did the \$45,000 from the rail rate case go?

Don Wolf: There was \$20,000 carryover authority from the state rail fund and there was a \$25,000 reduction in special funds.

Representative Kempenich: What could this money be intended for, do you have a budget prepared for this money? The language could be broader about what you could spend this money on.

Susan Wefald: In my mind the PSC will still use the fund for the STB case. However if there would be another issue that came forward that the commission believed was very significant, that may be used for that.

Chairman Carlson: Have we changed our focus to the instead of going after the railroads we are going after the STB?

Susan Wefald: The only way we can address railroad issues is to go through the STB.

Chairman Carlson: Who did Montana sue the railroad or the STB?

Susan Wefald: They went to the service transportation board but their case was different.

Representative Kempenich: I have issues in expanding this focus. One thing is this \$900,000 could get us started into something that could be a lot bigger.

Susan Wefald: The commission has taken a conservative view in the past on how to use the funds. The commission would honor it if the legislators would make language to change it.

Representative Glasheim: Would it impede what you are trying to do if there was some language that you would have to go to budget section for approval to use the money?

Susan Wefald: It may. We would be happy to consider it.

Chairman Carlson: Last time we set money aside this time we are creating a fund is that correct?

Commissioner Clark: Last years budget, \$800,000 came from the Beginning Farmer Loan Fund, the remainder came from the agricultural stakeholders. The other part that made up the balance is \$20,000 carry over from the biennium before. All that was spent was the \$20,000 carry over. The Beginning Farmer Loan Fund was never tapped at all. The commitments were not spent either. Because of the language from last session we were not able to access any of the \$800,000 until there was a case pending.

Chairman Carlson: So when you say special funds it is really unfunded funds.

Commissioner Clark: \$100,000 of it is unfunded. The other \$800,000 is special funds.

Chairman Carlson: Are we transferring money from the Beginning Farmer Loan Fund?

Tammy Dolan: My understanding is that we were going to take the money from the Beginning Farmer Loan Fund to this new fund.

Commissioner Clark: The Governor's rationale for making it not just a rate fund instead of a service fund is as the commission and stakeholder groups work through this process, we are coming to find was a lot of the questions that we were getting from shippers and a lot of the problems were not necessarily always related to rates.

Vice Chairman Carlisle: Any turn back or carry over?

Susan Wefald: About \$35,000.

Ms. Wefald continued her testimony on the bottom page seven.

Representative Kempenich: Do you compete with Geological Survey for employees?

Susan Wefald: If we receive these funds we would have to advertise the position. We also have to give the job description to Human Resources to classify the position.

Representative Skarphol: Is it the department's intent to use the existing GIS hub and merely apply your information on that hub?

Steve Kahl: Yes it is our intention to use the GIS hub. We are currently part of the GIS Technical Committee. We are working together with a number of agencies.

Representative Skarphol: Are there federal requirements in regard to reclamation and your services that have to be met?

Steve Kahl: Yes. Through the office of surface mining where a vast of majority of the costs for the GIS within the agency is.

Representative Skarphol: Are there federal funds available?

Steve Kahl: We have tapped all of the federal funds that are available.

Chairman Carlson: Are we duplicating things with the GIS department? How many people are trained in using the GIS system in other departments?

Steve Kahl: There are a number of agencies who have GIS personnel and typically it is the personnel within the agencies that are dealing with the business requirements of that agency. GIS can be used in a wide variety of ways to integrate into the business. We are primarily using GIS not necessarily as a mapping project but as an analysis tool to analyze the data that has been corrected over a period of time.

Chairman Carlson: In terms of data you mean pipelines and transmission lines, what kind of things are you doing with it?

Steve Kahl: That as well as information collected on mines and other information.

Chairman Carlson: Is this being duplicated?

Representative Skarphol: Their work is primarily in the coal mining aspect of it.

Steve Kahl: That is primarily true although we do have data on pipelines that have been sited as well as some transmission lines.

Representative Skarphol: With the difficulty of finding IT people, would it be an advantage to have the ability to contract for those services in the event you can't hire an individual?

Steve Kahl: It would be possible to contract but with the tremendous amount integration of the staff it would be difficult.

Representative Kempenich: Is this somebody new? How many people do you have now?

Steve Kahl: This is a new position; we have one other programmer and me in the office right now.

Ms. Wefald continued with testimony on bottom of page nine.

Representative Kempenich: Does the federal government use this AML money for anything other than reclamation?

Susan Wefald: The Commission has been asking that question for years.

Representative Skarphol: Getting back to the GIS, why would it not be appropriate to use federal dollars to assist in paying the salary of the new person?

Susan Wefald: The commission is planning to use some federal dollars. We are hiring a staff person that will deal with GIS.

Representative Skarphol: So you will have more than the one individual shown on the green sheet that is coming from General Funds?

Susan Wefald: We will be hiring one person from General Funds and we will be using some of the Federal Funds to hire a GIS person.

Chairman Carlson: Can you take the federal money and use them for salary?

Susan Wefald: With the AML money we are able to use some for staff and administrative costs.

Chairman Carlson requested a summary of what the federal funds can be used for.

Steve Kahl: To help clarify a little bit. The programmer/analyst will be partially funded through the federal dollars from the indirect cost reimbursement.

Chairman Carlson: Are you losing any federal funds?

Susan Wefald: We could see a reduction in funds for reclamation.

Chairman Carlson: What kind of real dollars are we talking?

Jim Deutsch: I am guessing we could be short about \$50,000 in the second year of the biennium.

