

**Fifty-sixth Legislative Assembly, State of North Dakota, begun in the
Capitol in the City of Bismarck, on Tuesday, the fifth day of January,
one thousand nine hundred and ninety-nine**

SENATE BILL NO. 2008
(Appropriations Committee)
(At the request of the Governor)

AN ACT to provide an appropriation for defraying the expenses of the public service commission; and to amend and reenact section 49-01-05 and subsection 3 of section 49-21-01 of the North Dakota Century Code, relating to the salary of public service commissioners and the definition of an essential telecommunications service.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. APPROPRIATION. The funds provided in this section, or so much of the funds as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income, to the public service commission for the purpose of defraying the expenses of the public service commission, for the biennium beginning July 1, 1999, and ending June 30, 2001, as follows:

Salaries and wages	\$4,389,004
Operating expenses	1,067,294
Equipment	71,311
Grants	6,000
AML contractual services	<u>3,668,492</u>
Total all funds	\$9,202,101
Less estimated income	<u>5,633,045</u>
Total general fund appropriation	\$3,569,056

SECTION 2. AMENDMENT. Section 49-01-05 of the 1997 Supplement to the North Dakota Century Code is amended and reenacted as follows:

49-01-05. Salary of commissioners. The annual salary of a commissioner is ~~fifty-five~~ fifty-eight thousand four hundred sixty-four ~~sixty-two~~ sixty-two dollars through June 30, ~~1998~~ 2000, ~~fifty-nine~~ fifty-nine thousand four hundred twenty-eight dollars through December 31, 2000, and ~~fifty-seven~~ sixty-four thousand ~~one~~ five hundred ~~twenty~~ sixty-nine dollars thereafter. All fees received or charged by any commissioner for any act or service rendered in any official capacity, must be accounted for and paid over by the commissioner monthly to the state treasurer and must be credited to the general fund of the state.

SECTION 3. AMENDMENT. Subsection 3 of section 49-21-01 of the 1997 Supplement to the North Dakota Century Code is amended and reenacted as follows:

3. "Essential telecommunications service" means service that is necessary for switched access to interexchange telecommunications companies and necessary for two-way switched communications for both residential and business service within a local exchange area. A charge based on measured service may not be required for residential and business local exchange service. Essential telecommunications services are limited to:
 - a. Switched access;
 - b. Any new product or service offered in North Dakota after July 1, 1989, deemed essential by the commission after notice and hearing in accordance with chapter 28-32;

- c. Billing and collection of the billing company's own essential telecommunications services and billing and collection recording for interexchange carriers to which the local exchange carrier provides feature group C access service;
- d. Primary directory listing, including nonlisted and nonpublished service, and ~~local exchange~~ access to directory assistance;
- e. Emergency 911 services and emergency operator assistance in local exchange areas in which emergency 911 service is not available;
- f. Except as provided in section 49-02-01.1, mandatory, flat-rate extended area service to designated nearby local exchange areas;
- g. Installation of the service connection for essential services from the end user's premises to the local exchange network;
- h. Transmission service necessary for the connection between the end user's premises and the local exchange central office switch including a trunk connection that has direct inward dialing and necessary signaling service such as touchtone used by end users for essential telecommunications services;
- i. Single or multiparty flat-rate or measured residence and business service;
- j. Single or multiparty flat-rate or measured combination business and residence service; and
- k. The transmission service line for a coin or pay telephone.

President of the Senate

Speaker of the House

Secretary of the Senate

Chief Clerk of the House

This certifies that the within bill originated in the Senate of the Fifty-sixth Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2008.

Senate Vote: Yeas 33 Nays 15 Absent 1

House Vote: Yeas 53 Nays 43 Absent 2

Secretary of the Senate

Received by the Governor at _____ M. on _____, 1999.

Approved at _____ M. on _____, 1999.

Governor

Filed in this office this _____ day of _____, 1999,

at _____ o'clock _____ M.

Secretary of State