

Sixty-first  
Legislative Assembly  
of North Dakota

## ENGROSSED HOUSE BILL NO. 1008

Introduced by

Appropriations Committee

(At the request of the Governor)

1 A BILL for an Act to provide an appropriation for defraying the expenses of the public service  
2 commission; to provide legislative intent; to provide for a report to the budget section; and to  
3 amend and reenact section 49-01-05 of the North Dakota Century Code, relating to the salary  
4 of public service commissioners.

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

6 **SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the  
7 funds as may be necessary, are appropriated out of any moneys in the general fund in the state  
8 treasury, not otherwise appropriated, and from special funds derived from federal funds and  
9 other income, to the public service commission for the purpose of defraying the expenses of  
10 that agency, for the biennium beginning July 1, 2009, and ending June 30, 2011, as follows:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
11			
12			
13 Salaries and wages	\$5,674,928	\$943,713	\$6,618,641
14 Operating expenses	1,635,856	309,090	1,944,946
15 Capital assets	68,500	59,000	127,500
16 Grants	8,000	2,000	10,000
17 Abandoned mined lands contractual	4,500,000	2,000,000	6,500,000
18 services			
19 Rail rate complaint case	<u>900,000</u>	<u>(450,000)</u>	<u>450,000</u>
20 Total all funds	\$12,787,284	\$2,863,803	\$15,651,087
21 Less estimated income	<u>8,003,309</u>	<u>2,125,513</u>	<u>10,128,822</u>
22 Total general fund	\$4,783,975	\$738,290	\$5,522,265
23 Full-time equivalent positions	41.00	2.00	43.00

1           **SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO**  
2 **SIXTY-SECOND LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time  
3 funding items approved by the sixtieth legislative assembly for the 2007-09 biennium and the  
4 2009-11 one-time funding items included in the appropriation in section 1 of this Act:

5 <u>One-Time Funding Description</u>	<u>2007-09</u>	<u>2009-11</u>
6 Videoconferencing equipment	\$20,000	\$0
7 Weights and measures equipment	39,000	0
8 High-flow dispenser prover	<u>30,484</u>	<u>0</u>
9 Total general fund	\$89,484	\$0

10 The 2009-11 one-time funding amounts are not a part of the entity's base budget for the  
11 2011-13 biennium. The public service commission shall report to the appropriations  
12 committees of the sixty-second legislative assembly on the use of this one-time funding for the  
13 biennium beginning July 1, 2009, and ending June 30, 2011.

14           **SECTION 3. LEGISLATIVE INTENT - METROLOGY PROGRAM.** It is the intent of  
15 the legislative assembly that the public service commission continue to provide the metrology  
16 program services at its current level and study location alternatives that do not include the  
17 construction of a new facility for the sole purpose of housing the metrology program for the  
18 biennium beginning July 1, 2009, and ending June 30, 2011.

19           **SECTION 4. REPORT TO THE BUDGET SECTION.** The public service commission  
20 shall report to the budget section prior to July 1, 2010, regarding the status of location  
21 alternatives for the metrology program.

22           **SECTION 5. AMENDMENT.** Section 49-01-05 of the North Dakota Century Code is  
23 amended and reenacted as follows:

24           **49-01-05. Salary of commissioners.** The annual salary of a commissioner is  
25 ~~seventy-eight~~ eighty-five thousand ~~five~~ eight hundred ~~ninety-nine~~ thirty dollars through June 30,  
26 ~~2008~~ 2010, and ~~eighty-one~~ ninety thousand ~~seven~~ one hundred ~~forty-three~~ twenty-two dollars  
27 thereafter. All fees received or charged by any commissioner for any act or service rendered in  
28 any official capacity must be accounted for and paid over by the commissioner monthly to the  
29 state treasurer and must be credited to the general fund of the state.