

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2008 - Funding Summary

	Base Budget	Final Legislative Action	Comparison to Base Budget
Public Service Commission			
Salaries and wages	\$9,991,488	\$10,922,026	\$930,538
Operating expenses	1,801,570	2,205,487	403,917
Capital assets	25,000	125,000	100,000
Grants	20,000	20,000	
Abandoned mined lands contractual	6,000,000	6,000,000	
Rail rate complaint case	900,000	900,000	
Railroad safety program	614,724	669,318	54,594
Specialized legal services	420,000	420,000	
Total all funds	\$19,772,782	\$21,261,831	\$1,489,049
Less estimated income	13,347,095	13,724,121	377,026
General fund	\$6,425,687	\$7,537,710	\$1,112,023
FTE	43.00	45.00	2.00
Bill total			
Total all funds	\$19,772,782	\$21,261,831	\$1,489,049
Less estimated income	13,347,095	13,724,121	377,026
General fund	\$6,425,687	\$7,537,710	\$1,112,023
FTE	43.00	45.00	2.00

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

	Base Budget	Senate Changes	Senate Version
Salaries and wages	\$9,991,488	\$1,956,555	\$11,948,043
Operating expenses	1,801,570	296,167	2,097,737
Capital assets	25,000	100,000	125,000
Grants	20,000		20,000
Abandoned mined lands contractual	6,000,000		6,000,000
Rail rate complaint case	900,000		900,000
Railroad safety program	614,724	61,274	675,998
Specialized legal services	420,000		420,000
Total all funds	\$19,772,782	\$2,413,996	\$22,186,778
Less estimated income	13,347,095	641,306	13,988,401
General fund	\$6,425,687	\$1,772,690	\$8,198,377
FTE	43.00	4.00	47.00

Department 408 - Public Service Commission - Detail of Senate Changes

	Adjusts Funding for Base Payroll Changes¹	Adds Funding for Salary and Benefit Increases²	Adds Funding for Temporary Salaries and Railroad Safety Program³	Adds 4 FTE Positions⁴	Adds Salary Equity Funding for Elected Officials⁵	Adds Funding for ITD Increases⁶
Salaries and wages	\$71,888	\$715,983	\$129,648	\$919,018	\$18,318	
Operating expenses				21,500		\$42
Capital assets						
Grants						
Abandoned mined lands contractual						
Rail rate complaint case						
Railroad safety program	9,173	37,043	15,058			
Specialized legal services						
Total all funds	\$81,061	\$753,026	\$144,706	\$940,518	\$18,318	\$42
Less estimated income	27,589	309,523	106,706	209,330	0	0
General fund	\$53,472	\$443,503	\$38,000	\$731,188	\$18,318	\$42
FTE	0.00	0.00	0.00	4.00	0.00	0.00

	Adds Funding for Operating Expenses⁷	Adds Funding for Capitol Space Rent Model⁸	Adds One-Time Funding for Shortfall of Indirect Cost Recovery⁹	Adds One-Time Funding for Capital Assets¹⁰	Total Senate Changes
Salaries and wages			\$101,700		\$1,956,555
Operating expenses	\$53,558	\$221,067			296,167
Capital assets				\$100,000	100,000
Grants					
Abandoned mined lands contractual					
Rail rate complaint case					
Railroad safety program					
Specialized legal services					61,274
Total all funds	\$53,558	\$221,067	\$101,700	\$100,000	\$2,413,996
Less estimated income	(30,042)	0	0	18,200	641,306
General fund	\$83,600	\$221,067	\$101,700	\$81,800	\$1,772,690
FTE	0.00	0.00	0.00	0.00	4.00

¹ Funding is added for the cost to continue salary increases.

² The following funding is added for 2023-25 biennium salary adjustments of 4 percent on July 1, 2023, and 4 percent on July 1, 2024, and increases in health insurance from \$1,429 to \$1,648 per month:

	General Fund	Other Funds	Total
Salary Increases	\$314,322	\$217,702	\$532,024
Health insurance increase	129,181	91,821	\$221,002
Total	\$443,503	\$309,523	\$753,026

³ Funding is increased for temporary salaries and the railroad safety program.

⁴ Funding of \$940,518, including \$731,188 from the general fund and \$209,330 from other funds, is added for 4 FTE positions and related operating expenses:

	FTE	Salaries and Wages	Operating Expenses	Total
Environmental scientist	1.00	\$216,564	\$0	\$216,564
Legal assistant	1.00	164,482	3,000	167,482
Analyst and engineer	2.00	537,972	18,500	556,472
Total	4.00	\$919,018	\$21,500	\$940,518

⁵ Funding is added for providing a salary equity increase for the Public Service Commissioners. The Public Service Commissioners' annual salaries are increased from the current level of \$117,610 to \$124,800 (6 percent) effective July 1, 2023. This funding is in addition to the funding added for the general 4 percent annual salary increases for state employees.

⁶ Funding is added for Information Technology Department rate increases.

⁷ Funding for operating expenses is increased by \$83,600 from the general fund and decreased by \$30,042 from federal funds for dues and memberships.

⁸ Funding is added from the general fund for a new Capitol space rent model.

⁹ One-time funding is added for a shortfall of indirect cost recovery due to decreased federal indirect cost rates.

¹⁰ One-time funding of \$100,000 is added for a drone (\$20,000), weights and measures equipment (\$70,000), and copier replacement (\$10,000).

This amendment also adds sections to:

- Provide for a line of credit at the Bank of North Dakota of \$900,000 to pay costs associated with a rail rate complaint case. The section authorizing a \$900,000 transfer from the beginning farmer revolving loan fund is removed;
- Amend North Dakota Century Code Section 57-43.2-19 to increase the deposit from special fuels taxes into the rail safety fund and to remove the sunset date; and
- Provide the statutory changes necessary to increase the Public Service Commissioners' annual salaries to \$124,800 (6 percent) effective July 1, 2023, and to \$129,792 (4 percent) effective July 1, 2024.

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

	Base Budget	Senate Version	House Changes	House Version
Salaries and wages	\$9,991,488	\$11,948,043	(\$1,026,017)	\$10,922,026
Operating expenses	1,801,570	2,097,737	107,750	2,205,487
Capital assets	25,000	125,000		125,000
Grants	20,000	20,000		20,000
Abandoned mined lands contractual	6,000,000	6,000,000		6,000,000
Rail rate complaint case	900,000	900,000		900,000
Railroad safety program	614,724	675,998	(6,680)	669,318
Specialized legal services	420,000	420,000		420,000
Total all funds	\$19,772,782	\$22,186,778	(\$924,947)	\$21,261,831
Less estimated income	13,347,095	13,988,401	(264,280)	13,724,121
General fund	\$6,425,687	\$8,198,377	(\$660,667)	\$7,537,710
FTE	43.00	47.00	(2.00)	45.00

Department 408 - Public Service Commission - Detail of House Changes

	Adds Funding for Salary and Benefit Increases ¹	Adds Salary Equity Funding for Elected Officials ²	Remove Funding for FTE positions ³	Removes Salary Funding for Funding Pool ⁴	Adds Funding for FERC Contractor ⁵	Total House Changes
Salaries and wages	\$164,835	\$20,520	(\$415,386)	(\$795,986)		(\$1,026,017)
Operating expenses			(12,250)		\$120,000	107,750
Capital assets						
Grants						
Abandoned mined lands contractual						
Rail rate complaint case						
Railroad safety program	8,656			(15,336)		(6,680)
Specialized legal services						
Total all funds	\$173,491	\$20,520	(\$427,636)	(\$811,322)	\$120,000	(\$924,947)
Less estimated income	70,952	0	(70,728)	(264,504)	0	(264,280)
General fund	\$102,539	\$20,520	(\$356,908)	(\$546,818)	\$120,000	(\$660,667)
FTE	0.00	0.00	(2.00)	0.00	0.00	(2.00)

¹ Salaries and wages funding is adjusted to provide for the 2023-25 biennium salary increases of 6 percent on July 1, 2023, and 4 percent on July 1, 2024, and for adjustments to health insurance premium rates as follows:

	General Fund	Other Funds	Total
Salary increase	\$105,444	\$73,017	\$178,461
Health insurance adjustment	(2,905)	(2,065)	(4,970)
Total	\$102,539	\$70,952	\$173,491

The Senate provided salary adjustments of 4 percent on July 1, 2023, and July 1, 2024.

² Funding is added for providing a salary equity increase for the Public Service Commissioners. The Public Service Commissioners' annual salaries are increased from the current level of \$117,610 to \$130,000 (10.5 percent) effective July 1, 2023. This funding is in addition to the funding of 6 percent added by the Senate.

³ Funding of \$427,636, including \$356,908 from the general fund and \$70,728 from other funds, is removed for 2 FTE positions and related operating expenses:

	FTE	Salaries and Wages	Operating Expenses	Total
Legal assistant	(1.00)	(\$164,482)	(\$3,000)	(\$167,482)
Public utility analyst	(1.00)	(250,904)	(9,250)	(260,154)
Total	(2.00)	(\$415,386)	(\$12,250)	(\$427,636)

⁴ Funding for new FTE positions and estimated savings from vacant FTE positions is removed as shown below. These amounts are available to the agency if needed by submitting a request to the Office of Management and Budget for a transfer from the new and vacant FTE funding pool.

	General Fund	Other Funds	Total
New FTE positions	(\$365,030)	(\$138,602)	(\$503,632)
Vacant FTE positions	(181,788)	(125,902)	(307,690)
Total	(\$546,818)	(\$264,504)	(\$811,322)

⁵ Funding of \$120,000 is added from the general fund for a Federal Energy Regulatory Commission (FERC) contractor to ensure reliable, safe, secure, and economically efficient energy for consumers at a reasonable cost.

This amendment also:

- Adds sections to change Sections 49-22-22(4) and 49-22.1-21 to increase the administrative siting fee from \$100 to \$200 for each \$1 million of original investment and increase the maximum from \$25,000 to \$50,000.
- Adds a section to transfer \$60,000 from the general fund to the Public Service Commission program fund during the 2021-23 biennium.

- Adds a section to provide an emergency clause related to the \$60,000 transfer to the Public Service Commission program fund.

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

The Senate concurred with the House.