

**Public Service Commission
Budget No. 408
Senate Bill No. 2008**

| | FTE Positions | General Fund | Other Funds | Total |
|--|----------------------|---------------------|---------------------|---------------------|
| 2023-25 legislative appropriations | 45.00 | \$7,537,710 | \$13,724,121 | \$21,261,831 |
| 2023-25 base budget | 43.00 | 6,425,687 | 13,347,095 | 19,772,782 |
| Legislative increase (decrease) to base budget | 2.00 | \$1,112,023 | \$377,026 | \$1,489,049 |

ONGOING AND ONE-TIME GENERAL FUND APPROPRIATIONS

| | Ongoing General Fund Appropriation | One-Time General Fund Appropriation | Total General Fund Appropriation |
|---|---|--|---|
| 2023-25 legislative appropriations | \$7,354,210 | \$183,500 | \$7,537,710 |
| 2021-23 legislative appropriations ¹ | 6,425,687 | 65,400 | 6,491,087 |
| 2023-25 legislative increase (decrease) to 2021-23 appropriations | \$928,523 | \$118,100 | \$1,046,623 |
| Percentage increase (decrease) to 2021-23 appropriations | 14.5% | 180.6% | 16.1% |

¹The 2021-2023 general fund appropriation has been increased by \$60,000 for a deficiency appropriation for the public service program fund.

SUMMARY OF LEGISLATIVE CHANGES TO THE BASE BUDGET AND MAJOR FUNDING ITEMS
Changes to Base Budget

| | FTE Positions | General Fund | Other Funds | Total |
|---|----------------------|---------------------|--------------------|--------------|
| The legislative action: | | | | |
| Adjusted funding for base payroll changes | | \$53,472 | \$27,589 | \$81,061 |
| Added funding to provide employee salary increases of 6 percent on July 1, 2023, and 4 percent on July 1, 2024 | | 419,766 | 290,719 | 710,485 |
| Added funding for employee health insurance premiums to reflect a revised premium estimate of \$1,643 per month | | 126,276 | 89,756 | 216,032 |
| Adjusted funding for base line item changes | | | 76,664 | 76,664 |
| Added funding for temporary salaries | | 38,000 | | 38,000 |
| Added 1 FTE environmental scientist position and 1 FTE engineering analyst position; of which \$503,632 is for salaries and wages and \$9,250 is for related operating expenses | 2.00 | 374,280 | 138,602 | 512,882 |
| Added salary equity funding for elected officials | | 38,838 | | 38,838 |

| | | | |
|---|-------------|--------------------|--------------------|
| Transferred funding for new FTE positions and estimated savings from vacant FTE positions to a new and vacant FTE funding pool in the Office of Management and Budget | (546,818) | (264,504) | (811,322) |
| Added funding for Information Technology Department rate increase | 42 | | 42 |
| Added funding for operating expenses | 83,600 | | 83,600 |
| Added funding for new Capitol space rent model | 221,067 | | 221,067 |
| Added funding for a Federal Energy Regulatory Commission contractor | 120,000 | | 120,000 |
| Added one-time funding from the general fund due to a reduction in federal indirect cost recovery funding | 101,700 | | 101,700 |
| Added one-time funding to purchase a drone | 1,800 | 18,200 | 20,000 |
| Added one-time funding for weights and measures equipment | 70,000 | | 70,000 |
| Added one-time funding for a copier | 10,000 | | 10,000 |
| Total | <u>2.00</u> | <u>\$1,112,023</u> | <u>\$1,489,049</u> |

FTE Changes

The Legislative Assembly approved 45 FTE positions for the Public Service Commission for the 2023-25 biennium, an increase of 2 FTE positions from the 2021-23 biennium authorized level of 43 FTE positions. The Legislative Assembly added 1 FTE environmental scientist position and 1 FTE engineering analyst position.

One-Time Funding

The following is a summary of one-time funding items for the Public Service Commission for the 2023-25 biennium:

| | General Fund | Other Funds | Total |
|---|--------------|-------------|-----------|
| Shortfall in federal indirect cost recovery funds | \$101,700 | \$0 | \$101,700 |
| Drone | 1,800 | 18,200 | 20,000 |
| Weights and measures equipment | 70,000 | 0 | 70,000 |
| Copier | 10,000 | 0 | 10,000 |
| Total | \$183,500 | \$18,200 | \$201,700 |

Other Sections in Senate Bill No. 2008

2021-23 Appropriation - Public Service Commission program fund - Section 3 transfers \$60,000 from the general fund to the Public Service Commission program fund during the 2021-23 biennium.

Bank of North Dakota - Line of credit - Section 4 provides 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 included in prior bienniums is removed.

Salary of commissioners - Section 5 provides the statutory changes increasing the Public Service Commissioners' salary. Each Public Service Commissioner's salary is increased from the current level of \$117,610 to \$130,000 (10.5 percent), effective July 1, 2023, and to \$135,200 (4 percent) effective July 1, 2024.

Administrative fees - Sections 6 and 7 amend North Dakota Century Code Sections 49-22.1-21 and 49-22-22 to increase the administrative fee from \$100 to \$200 for each \$1 million of original investment and changes the maximum fee from \$25,000 to \$50,000.

Railroad safety program - Section 8 amends Section 57-43.2-19 to increase the deposit from \$297,362 to \$332,327 per year from special fuels taxes into the rail safety fund through June 30, 2027.

Emergency - Section 9 declares Sections 3, 6, and 7 to be an emergency.

Related Legislation

House Bill No. 1063 (2023) - Tariff rate filing fee requirement - Removes the \$50 tariff rate filing fee requirement.

House Bill No. 1096 (2023) - Permit fees for registered service companies - Relates to permit fees for registered service companies and registered service persons.

House Bill No. 1191 (2023) - Registration and licensing of auctioneers - Transfers the responsibility of licensing and registering auctioneers and clerks from the Public Service Commission to the Secretary of State.

Senate Bill No. 2015 (2023) - Funding pools - Includes funding pools from which the agency may receive allocations, including the:

- Employer retirement contribution pool from which the agency is to receive \$48,291, of which \$26,468 is from the general fund and \$21,823 is from other funds in accordance with provisions of Section 23 of Senate Bill No. 2015 for the 1 percent employer retirement contribution increase provided for in House Bill No. 1040 (2023);
- New and vacant FTE funding pool from which the agency may request funding when hiring new FTE positions or if the agency does not realize sufficient savings from vacant FTE positions in accordance with provisions of Section 22 of Senate Bill No. 2015; and
- Targeted market equity pool from which the agency may receive an allocation as determined by the Office of Management and Budget in accordance with provisions of Section 20 of Senate Bill No. 2015.