FIRST ENGROSSMENT

Sixty-seventh Legislative Assembly of North Dakota

ENGROSSED SENATE BILL NO. 2024

Introduced by

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Appropriations Committee

- 1 A BILL for an Act to provide an appropriation for defraying the expenses of the department of
- 2 environmental quality; to amend and reenact section 23.1-16-10 of the North Dakota Century
- 3 Code, relating to certificate of inspection; to provide a statement of legislative intent; and to
- 4 provide for a legislative management report.

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 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 department of environmental quality for the purpose of defraying the expenses of the department of environmental quality, for the biennium beginning July 1, 2021, and ending June 30, 2023, as follows:

12			Adjustments or	
13		Base Level	Enhancements	<u>Appropriation</u>
14	Salaries and wages	\$30,587,358	\$1,991,173	\$32,578,531
15	Operating expenses	9,962,180	917,718	10,879,898
16	Capital assets	1,263,429	(16,257)	1,247,172
17	Grants	<u>15,861,529</u>	(801,411)	<u>15,060,118</u>
18	Total all funds	\$57,674,496	\$2,091,223	\$59,765,719
19	Less estimated income	<u>45,193,574</u>	<u>1,905,853</u>	47,099,427
20	Total general fund	\$12,480,922	\$185,370	\$12,666,292
21	Full-time equivalent positions	165.50	0.50	166.00

22 SECTION 2. ONE-TIME FUNDING. The following amounts reflect the one-time funding 23

items approved by the sixty-sixth legislative assembly for the 2019-21 biennium:

1	One-Time Funding Description	<u>2019-21</u>	<u>2021-23</u>		
2	Air pollution program equipment	<u>\$1,040,000</u>	<u>\$0</u>		
3	Total estimated income	\$1,040,000	\$0		
4	SECTION 3. ESTIMATED INCOME - ENVIRON	MENT AND RANGELAND PRO	OTECTION		
5	FUND. The estimated income line item in section 1 of this Act includes the sum of \$250,000				
6	from the environment and rangeland protection fund. This amount includes \$50,000 for a grant				
7	to the North Dakota stockmen's association environmental services program.				
8	SECTION 4. ESTIMATED INCOME - PETROLEUM TANK RELEASE COMPENSATION				
9	FUND. The estimated income line item in section 1 of this Act includes the sum of up to				
10	\$773,787 from the petroleum tank release compensation fund for expenses related to the				
11	petroleum tank release program.				
12	SECTION 5. AMENDMENT. Section 23.1-16-10 of the North Dakota Century Code is				
13	amended and reenacted as follows:				
14	23.1-16-10. Certificate of inspection - Certificate to be posted.				
15	The department shall issue a certificate of inspection for each boiler inspected upon receipt				
16	of an inspection report certifying that the boiler is in a safe condition to be operated. The				
17	department shall charge a fee of twentythirty-five dollars per year for each year that a certificate				
18	is valid, or part of a year thereof, for each certificate of inspection issued as the result of				
19	inspections authorized under sections 23.1-16-07 and 23.1-16-08. The fees are the liability of				
20	the owner or user and must be paid in accordance with rules adopted by the department. A				
21	certificate may not be issued for any boiler not in a safe condition to be operated or for a boiler				
22	for which the inspection and certificate fees have not been paid in full. A certificate is not valid				
23	for a period of more than thirty-six months for power boilers described in subsection 2 of section				
24	23.1-16-07, and no more than twelve months for other power boilers, twelve months for steam				
25	traction engines, and thirty-six months for low-pressure boilers except that a two-month grace				
26	period may be extended for any certificate. Upon written request from a special inspector, the				
27	chief boiler inspector may issue a short-term certificate. Each certificate of inspection must be				
28	posted conspicuously under glass in the boiler room or adjacent to the boiler inspected.				
29	SECTION 6. LEGISLATIVE INTENT - FUNDING FOR WASTEWATER TESTING. It is the				
30	intent of the sixty-seventh legislative assembly that	the department of environmenta	I quality use		

- 1 federal COVID-19 relief funds available for wastewater testing before accessing funding from
- 2 the general fund made available in the deficiency appropriation in House Bill No. 1025.
- 3 SECTION 7. LOW-CARBON FUTURE INITIATIVE LEGISLATIVE MANAGEMENT
- 4 **REPORT.** During the 2021-22 interim, the department of environmental quality shall gather
- 5 information from private industry, private organizations, and government which relates to carbon
- 6 reduction initiatives, rules, or policies that will affect North Dakota residents and industries. In
- 7 gathering information, the department of environmental quality shall consider, review, and
- 8 report, as appropriate, technologies, operational practices, and conservation opportunities
- 9 directed at reducing the state's carbon intensity. The department of environmental quality shall
- present the report to the legislative management by September 1, 2022.