

**FIRST ENGROSSMENT  
with House Amendments  
ENGROSSED SENATE BILL NO. 2024**

Introduced by

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.

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

	<u>Base Level</u>	Adjustments or <u>Enhancements</u>	<u>Appropriation</u>
13 Salaries and wages	\$30,587,358	\$1,964,459	\$32,551,817
15 Operating expenses	9,962,180	809,718	10,771,898
16 Capital assets	1,263,429	983,743	2,247,172
17 Grants	<u>15,861,529</u>	<u>(801,411)</u>	<u>15,060,118</u>
18 Total all funds	\$57,674,496	\$2,956,509	\$60,631,005
19 Less estimated income	<u>45,193,574</u>	<u>1,776,356</u>	<u>46,969,930</u>
20 Total general fund	\$12,480,922	\$1,180,153	\$13,661,075
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:

<u>One-Time Funding Description</u>	<u>2019-21</u>	<u>2021-23</u>
Air pollution program equipment	\$1,040,000	\$0
Laboratory information management system	<u>0</u>	<u>1,000,000</u>
Total all funds	\$1,040,000	\$1,000,000
Less estimated income	<u>1,040,000</u>	<u>0</u>
Total general fund	\$0	\$1,000,000

**SECTION 3. ESTIMATED INCOME - ENVIRONMENT AND RANGELAND PROTECTION**

**FUND.** The estimated income line item in section 1 of this Act includes the sum of \$250,000 from the environment and rangeland protection fund. This amount includes \$50,000 for a grant to the North Dakota stockmen's association environmental services program.

**SECTION 4. ESTIMATED INCOME - PETROLEUM TANK RELEASE COMPENSATION**

**FUND.** The estimated income line item in section 1 of this Act includes the sum of up to \$773,983 from the petroleum tank release compensation fund for expenses related to the petroleum tank release program.

**SECTION 5. AMENDMENT.** Section 23.1-16-10 of the North Dakota Century Code is amended and reenacted as follows:

**23.1-16-10. Certificate of inspection - Certificate to be posted.**

The department shall issue a certificate of inspection for each boiler inspected upon receipt of an inspection report certifying that the boiler is in a safe condition to be operated. The department shall charge a fee of ~~twenty~~thirty-five dollars per year for each year that a certificate is valid, or part of a year thereof, for each certificate of inspection issued as the result of inspections authorized under sections 23.1-16-07 and 23.1-16-08. The fees are the liability of the owner or user and must be paid in accordance with rules adopted by the department. A certificate may not be issued for any boiler not in a safe condition to be operated or for a boiler for which the inspection and certificate fees have not been paid in full. A certificate is not valid for a period of more than thirty-six months for power boilers described in subsection 2 of section 23.1-16-07, and no more than twelve months for other power boilers, twelve months for steam traction engines, and thirty-six months for low-pressure boilers except that a two-month grace period may be extended for any certificate. Upon written request from a special inspector, the chief boiler inspector may issue a short-term certificate. Each certificate of inspection must be posted conspicuously under glass in the boiler room or adjacent to the boiler inspected.

1       **SECTION 6. LEGISLATIVE INTENT - FUNDING FOR WASTEWATER TESTING AND**  
2       **LABORATORY INFORMATION MANAGEMENT SYSTEM - EMERGENCY COMMISSION**

3       **APPROVAL.** It is the intent of the sixty-seventh legislative assembly that the department of  
4       environmental quality use federal COVID-19 relief funds or any funds for defraying the  
5       expenses of wastewater testing. It is further the intent of the sixty-seventh legislative assembly  
6       that the department of environmental quality use federal COVID-19 relief funds or other  
7       available funds for defraying the expenses of the laboratory information management system  
8       before accessing funding from the general fund. The department of environmental quality may  
9       seek emergency commission approval to adjust the source of funds if a non-general fund  
10      source is identified.

11      **SECTION 7. LOW-CARBON FUTURE INITIATIVE - LEGISLATIVE MANAGEMENT**

12      **REPORT.** During the 2021-22 interim, the department of environmental quality shall gather  
13      information from private industry, private organizations, and government which relates to carbon  
14      reduction initiatives, rules, or policies that will affect North Dakota residents and industries. In  
15      gathering information, the department of environmental quality shall consider, review, and  
16      report, as appropriate, technologies, operational practices, and conservation opportunities  
17      directed at reducing the state's carbon intensity. The department of environmental quality shall  
18      present the report to the legislative management by September 1, 2022.