

February 12, 2021

PROPOSED AMENDMENTS TO SENATE BILL NO. 2024

Page 1, line 2, after "quality" insert "; to amend and reenact section 23.1-16-10 of the North Dakota Century Code, relating to certificate of inspection; to provide a statement of legislative intent; and to provide for a legislative management report"

Page 1, replace lines 10 through 19 with:

"

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

Page 2, remove lines 5 through 7

Page 2, line 9, replace "\$297,217" with "up to \$773,787"

Page 2, after line 11, insert:

"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.

SECTION 6. LEGISLATIVE INTENT - FUNDING FOR WASTEWATER TESTING. It is the intent of the sixty-seventh legislative assembly that the department of environmental quality use federal COVID-19 relief funds available for wastewater

testing before accessing funding from the general fund made available in the deficiency appropriation in House Bill No. 1025.

SECTION 7. LOW-CARBON FUTURE INITIATIVE - LEGISLATIVE MANAGEMENT REPORT. During the 2021-22 interim, the department of environmental quality shall gather information from private industry, private organizations, and government which relates to carbon reduction initiatives, rules, or policies that will affect North Dakota residents and industries. In gathering information, the department of environmental quality shall consider, review, and report, as appropriate, technologies, operational practices, and conservation opportunities 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."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2024 - Department of Environmental Quality - Senate Action

	Base Budget	Senate Changes	Senate Version
Salaries and wages	\$30,587,358	\$1,991,173	\$32,578,531
Operating expenses	9,962,180	917,718	10,879,898
Capital assets	1,263,429	(16,257)	1,247,172
Grants	15,861,529	(801,411)	15,060,118
Total all funds	\$57,674,496	\$2,091,223	\$59,765,719
Less estimated income	45,193,574	1,905,853	47,099,427
General fund	\$12,480,922	\$185,370	\$12,666,292
FTE	165.50	0.50	166.00

Department 303 - Department of Environmental Quality - Detail of Senate Changes

	Adjusts Funding for Base Payroll Changes ¹	Adds Funding for Salary and Benefit Increases ²	Decreases Funding for Temporary Salaries ³	Transfers a Computer and Network Specialist III Position ⁴	Reassigns Environmental Scientist II Positions ⁵	Adds Accounting Positions ⁶
Salaries and wages	\$1,276,240	\$779,371	(\$138,050)	(\$224,357)	(\$31,653)	\$329,622
Operating expenses				230,134	41,532	(470,361)
Capital assets						
Grants						
Total all funds	\$1,276,240	\$779,371	(\$138,050)	\$5,777	\$9,879	(\$140,739)
Less estimated income	540,462	549,994	0	3,755	370,679	(140,739)
General fund	\$735,778	\$229,377	(\$138,050)	\$2,022	(\$360,800)	\$0
FTE	0.00	0.00	0.00	(1.00)	0.00	1.50

	Increases Funding for the Boiler Inspection Program ⁷	Decreases Funding for Operating Expenses ⁸	Adds Funding for Pollutant Elimination Program ⁹	Adjusts Base Level Funding ¹⁰	Adjusts Funding for Volkswagen Settlement ¹¹	Adjusts Funding for Bond and Capital Payments ¹²
Salaries and wages						
Operating expenses	\$200,000	(\$614,873)	\$343,732	\$1,187,554		
Capital assets						(\$96,457)
Grants				113,000	(\$914,411)	
Total all funds	\$200,000	(\$614,873)	\$343,732	\$1,300,554	(\$914,411)	(\$96,457)
Less estimated income	200,000	0	343,732	932,462	(914,411)	(62,347)
General fund	\$0	(\$614,873)	\$0	\$368,092	\$0	(\$34,110)
FTE	0.00	0.00	0.00	0.00	0.00	0.00

	Adjusts Funding for Extraordinary Repairs ¹³	Adjusts Funding for Equipment and IT Equipment ¹⁴	Total Senate Changes
Salaries and wages			\$1,991,173
Operating expenses			917,718
Capital assets	(\$3,000)	\$83,200	(16,257)
Grants			(801,411)
Total all funds	(\$3,000)	\$83,200	\$2,091,223
Less estimated income	(934)	83,200	1,905,853
General fund	(\$2,066)	\$0	\$185,370
FTE	0.00	0.00	0.50

¹ Funding is adjusted for base payroll changes.

² The following funding is added for 2021-23 biennium salary adjustments of 2 percent on July 1, 2021, with a minimum monthly increase of \$80 and a maximum monthly increase of \$300 and 2 percent on July 1, 2022; and increases in health insurance premiums from \$1,427 to \$1,429 per month:

	<u>General Fund</u>	<u>Other Funds</u>	<u>Total</u>
Salary increase	\$226,935	\$544,350	\$771,285
Health insurance increase	<u>2,442</u>	<u>5,644</u>	<u>8,086</u>
Total	\$229,377	\$549,994	\$779,371

³ Funding for temporary salaries and wages is reduced.

⁴ One FTE computer and network specialist III position is transferred to the Information Technology Department for the information technology unification initiative reducing salaries and wages and increasing operating expenses.

⁵ Two FTE environmental scientist II positions funded from the general fund are replaced with a .5 FTE environmental scientist position and a .5 FTE accounting/budget analyst III position funded from the department's operating fund, and 1 FTE environmental scientist II position funded by petroleum tank fees.

⁶ Operating expenses are reduced and 1.5 FTE accounting positions and related funding for salaries and wages are added for the department to assume accounting services currently provided by the State Department of Health.

⁷ Funding is increased for the boiler inspection program from boiler inspection and certificate fees.

⁸ Funding for operating expenses is reduced.

⁹ Funding from pollutant discharge elimination system program fees is added for operating expenses to develop a web-based application reporting system for the North Dakota pollutant discharge elimination system program.

¹⁰ Funding is adjusted for cost to continue increases in operating expenses and grants, including funding to fully fund the Quad O and Quad Oa program and increases in Microsoft Office 365 licensing expenses, IT data processing, IT equipment, and repairs.

¹¹ Funding for Volkswagen settlement grants is reduced to provide a total of \$4,485,118.

¹² Funding for bond and capital payments is adjusted to provide a total of \$119,972, of which \$59,581 is from the general fund.

¹³ Funding for extraordinary repairs is adjusted to provide a total of \$24,000, of which \$4,800 is from the general fund.

¹⁴ Funding is adjusted for equipment and information technology equipment over \$5,000 to provide a total ongoing appropriation of \$1,103,200 of other funds.

This amendment removes a section related to funding from the state fire and tornado fund and amends the section related to funding provided from the petroleum tank release compensation fund. The amendment also adds sections to:

- Amend Section 23.1-16-10 to increase the fee for a boiler inspection certificate from \$20 to \$35. (These provisions are also included in Senate Bill No. 2052.)
- Provide legislative intent that the department use federal COVID-19 relief funds available for wastewater testing before accessing the deficiency appropriation in House Bill No. 1025.
- Require the department gather information from private industry, private organizations, and government that relates to carbon reduction initiatives, rules, or policies that will affect North Dakota residents and industries and report to the Legislative Management.