

**Sixty-ninth Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 7, 2025**

SENATE BILL NO. 2024
(Appropriations Committee)

AN ACT to provide an appropriation for defraying the expenses of the department of environmental quality; and to amend and reenact section 23.1-13-16 of the North Dakota Century Code, relating to inspection fees.

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 other funds derived from special funds and federal funds, 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, 2025, and ending June 30, 2027, as follows:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and wages	\$38,756,030	\$4,479,208	\$43,235,238
New and vacant FTE pool	0	2,290,870	2,290,870
Operating expenses	15,457,832	6,429,374	21,887,206
Capital assets	1,013,500	3,650,100	4,663,600
Grants	<u>37,198,118</u>	<u>22,740,341</u>	<u>59,938,459</u>
Total all funds	\$92,425,480	\$39,589,893	\$132,015,373
Less other funds	<u>76,074,697</u>	<u>37,064,940</u>	<u>113,139,637</u>
Total general fund	\$16,350,783	\$2,524,953	\$18,875,736
Full-time equivalent positions	173.00	2.00	175.00

SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO SEVENTIETH LEGISLATIVE ASSEMBLY. The following amounts reflect the one-time funding items included in the appropriation in section 1 of this Act which are not included in the entity's base budget for the 2027-29 biennium and which the entity shall report to the appropriations committees of the seventieth legislative assembly regarding the use of this funding:

<u>One-Time Funding Description</u>	<u>Total Other Funds</u>
Move to new chemistry laboratory	\$1,500,000
New chemistry laboratory capital assets	1,375,000
New chemistry laboratory operating expenses	700,186
Emerging contaminants program equipment	943,200
Petroleum tank database	700,000
State fuel inspection program capital assets	215,000
Water and wastewater operator certification program	<u>5,000</u>
Grand total other funds	\$5,438,386

SECTION 3. NEW AND VACANT FTE POOL - LIMITATION - TRANSFER REQUEST. The department of environmental quality may not spend funds appropriated in the new and vacant FTE pool line item in section 1 of this Act, but may request the office of management and budget to transfer funds from the new and vacant FTE pool line item to the salaries and wages line item in accordance with the guidelines and reporting provisions included in House Bill No. 1015, as approved by the sixty-ninth legislative assembly.

SECTION 4. OTHER FUNDS - ENVIRONMENT AND RANGELAND PROTECTION FUND. The other funds 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 5. OTHER FUNDS - PETROLEUM TANK RELEASE COMPENSATION FUND. The other funds line item in section 1 of this Act includes the sum of \$1,827,025 from the petroleum tank release compensation fund for expenses related to the petroleum tank release program.

SECTION 6. OTHER FUNDS - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND. The other funds line item in section 1 of this Act includes the sum of \$3,575,186 from the strategic investment and improvements fund for expenses related to moving into the new chemistry laboratory and for chemistry laboratory operating expenses and equipment purchases.

SECTION 7. AMENDMENT. Section 23.1-13-16 of the North Dakota Century Code is amended and reenacted as follows:

23.1-13-16. Inspection fees.

Every person licensed by the tax commissioner as a motor vehicle fuel or special fuels dealer shall pay to the tax commissioner an inspection fee of one-fortieth of one cent per gallon [3.79 liters] for every gallon [3.79 liters] of gasoline, kerosene, tractor fuel, heating oil, or diesel fuel sold or used during a calendar month except those gallons sold out of state or those gallons sold as original package sales as defined in chapters 57-43.1 and 57-43.2. The fee must accompany the monthly report required in the following section and is due no later than the twenty-fifth day of each calendar month for the preceding month. The tax commissioner shall forward all money collected under this section to the state treasurer monthly, and the state treasurer shall ~~place the money in the general fund of the state~~ deposit the funds in the department of environmental quality operating fund. The funds must be used, subject to legislative appropriations, for the state fuel inspection program. The tax commissioner shall make available annually a report by licensed dealer listing the number of gallons [liters] of motor vehicle fuel and special fuels upon which the inspection fee has been paid. The provisions of chapters 57-43.1 and 57-43.2 pertaining to the administration of motor vehicle fuel and special fuels taxes not in conflict with the provisions of this chapter govern the administration of the inspection fee levied by this chapter.

President of the Senate

Speaker of the House

Secretary of the Senate

Chief Clerk of the House

This certifies that the within bill originated in the Senate of the Sixty-ninth Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2024.

Senate Vote: Yeas 46 Nays 0 Absent 1

House Vote: Yeas 77 Nays 16 Absent 1

Secretary of the Senate

Received by the Governor at _____ M. on _____, 2025.

Approved at _____ M. on _____, 2025.

Governor

Filed in this office this _____ day of _____, 2025,

at _____ o'clock _____ M.

Secretary of State