

25.0191.01001
Title.
Fiscal No. 1

Prepared by the Legislative Council
staff for Senator Davison

February 5, 2025

Sixty-ninth
Legislative Assembly
of North Dakota

PROPOSED AMENDMENTS TO

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, and to amend and reenact section 23.1-13-16 of the North Dakota
3 Century Code, relating to inspection fees.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds
6 as may be necessary, are appropriated out of any moneys in the general fund in the state
7 treasury, not otherwise appropriated, and from other funds derived from special funds and
8 federal funds, to the department of environmental quality for the purpose of defraying the
9 expenses of the department of environmental quality, for the biennium beginning July 1, 2025,
10 and ending June 30, 2027, as follows:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
13 Salaries and wages	\$38,756,030	\$0	\$38,756,030
14 Operating expenses	16,457,832	0	16,457,832
15 Capital assets	1,013,500	0	1,013,500
16 Grants	37,198,118	0	37,198,118
17 Total all funds	\$92,425,480	\$0	\$92,425,480
18 Less other funds	76,074,697	0	76,074,697
19 Total general fund	\$16,350,783	\$0	\$16,350,783
20 Full-time equivalent positions	173.00	0.00	173.00

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1	Salaries and wages	\$38,756,030	\$4,479,208	\$43,235,238
2	New and vacant FTE pool	0	2,290,870	2,290,870
3	Operating expenses	15,457,832	6,395,874	21,853,706
4	Capital assets	1,013,500	3,650,100	4,663,600
5	Grants	37,198,118	22,740,341	59,938,459
6	Total all funds	\$92,425,480	\$39,556,393	\$131,981,873
7	Less other funds	76,074,697	37,031,440	113,106,137
8	Total general fund	\$16,350,783	\$2,524,953	\$18,875,736
9	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>
16 Move to new chemistry laboratory	\$1,500,000
17 New chemistry laboratory capital assets	1,375,000
18 New chemistry laboratory operating expenses	700,186
19 Emerging contaminants program equipment	943,200
20 Petroleum tank database	700,000
21 State fuel inspection program capital assets	215,000
22 Water and wastewater operator certification program	<u>5,000</u>
23 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

1 environment and rangeland protection fund. This amount includes \$50,000 for a grant to the
2 North Dakota stockmen's association environmental services program.

3 **SECTION 5. OTHER FUNDS - PETROLEUM TANK RELEASE COMPENSATION FUND.**

4 The other funds line item in section 1 of this Act includes the sum of ~~\$723,595~~ \$1,827,025 from
5 the petroleum tank release compensation fund for expenses related to the petroleum tank
6 release program.

7 **SECTION 6. OTHER FUNDS - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND.**

8 The other funds line item in section 1 of this Act includes the sum of \$3,575,186 from the
9 strategic investment and improvements fund for expenses related to moving into the new
10 chemistry laboratory and for chemistry laboratory operating expenses and equipment
11 purchases.

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

14 **23.1-13-16. Inspection fees.**

15 Every person licensed by the tax commissioner as a motor vehicle fuel or special fuels
16 dealer shall pay to the tax commissioner an inspection fee of one-fortieth of one cent per gallon
17 [3.79 liters] for every gallon [3.79 liters] of gasoline, kerosene, tractor fuel, heating oil, or diesel
18 fuel sold or used during a calendar month except those gallons sold out of state or those
19 gallons sold as original package sales as defined in chapters 57-43.1 and 57-43.2. The fee
20 must accompany the monthly report required in the following section and is due no later than
21 the twenty-fifth day of each calendar month for the preceding month. The tax commissioner
22 shall forward all money collected under this section to the state treasurer monthly, and the state
23 treasurer shall ~~place the money in the general fund of the state~~ deposit the funds in the
24 department of environmental quality operating fund. The funds must be used, subject to
25 legislative appropriations, for the state fuel inspection program. The tax commissioner shall
26 make available annually a report by licensed dealer listing the number of gallons [liters] of motor
27 vehicle fuel and special fuels upon which the inspection fee has been paid. The provisions of
28 chapters 57-43.1 and 57-43.2 pertaining to the administration of motor vehicle fuel and special
29 fuels taxes not in conflict with the provisions of this chapter govern the administration of the
30 inspection fee levied by this chapter.

