

**EMERGENCY COMMISSION MEETING**  
**Friday, June 17, 2022, 10:00 a.m.**  
**State Capitol, Fort Totten Room**  
**600 East Boulevard Avenue**  
**Bismarck ND 58505**

**MINUTES**

Members present were Governor Doug Burgum and Secretary of State Al Jaeger. Members present via Microsoft Teams were Senator Rich Wardner, Representative Chet Pollert, Senator Karen Kresbach, and Representative Keith Kempenich.

Governor Burgum called the meeting to order at 10:04 a.m.

**1. North Dakota Insurance Department \* (Request # 2059)**

Request increased spending authority to accept \$250,000 from the Insurance Regulatory Trust Fund for the professional services line (\$250,000) for legal services related to the non-compliance of an out-of-state insurance provider.

Representative Pollert moved to approve the request. Senator Wardner seconded the motion. Voting yes were Wardner, Pollert, Kresbach, Kempenich, Jaeger, and Burgum. Motion carried.

**2. North Dakota Department of Career & Technical Education \* (Request # 2060)**

Request increased spending authority to accept \$1,500,000 from special funds (funds collected from student fees) for the center for distance education line (\$1,500,000) related to distance education online curriculum expenses and instructor salaries.

Senator Wardner moved to approve the request. Representative Kempenich seconded the motion. Voting yes were Wardner, Pollert, Kresbach, Kempenich, Jaeger, and Burgum. Motion carried.

**3. North Dakota Industrial Commission – Department of Mineral Resources (Request # 2061)**

Request increased spending authority to accept \$2,500,000 from the U.S. Department of Interior with funds appropriated by Congress in the Infrastructure Investment and Jobs Act, Section 40601, (aka The Bipartisan Infrastructure Law) for a newly created line, Administrative Costs of the Bipartisan Infrastructure Plugging and Reclamation Initial Grant Funding (\$2,500,000), to be used for an orphaned well site plugging, remediation, and reclamation program. It is part of a \$25,000,000 grant of which \$22,500,000 will be deposited into the Abandoned Well Plugging and Site Restoration Fund (AWPSRF) as part of the agency's continuing appropriation authorized by N.D.C.C. § 38-08-04.5.

Senator Wardner moved to approve the request. Senator Kresbach seconded the motion. Voting yes were Wardner, Pollert, Kresbach, Kempenich, Jaeger, and Burgum. Motion carried.

**4. North Dakota Department of Transportation \* (Request # 2062)**

Request increased spending authority by \$7,173,530 from the State Fleet Fund – User Revenues for the capital improvement line (\$7,173,530) to complete 2023 purchases in this biennium for vehicles and equipment to maintain state fleet replacement plan.

Representative Kempenich moved to approve the request. Representative Pollert seconded the motion. Voting yes were Wardner, Pollert, Kresbach, Kempenich, Jaeger, and Burgum. Motion carried.

**5. North Dakota Vision Services - School for the Blind (Request # 2063)**

Request increased spending authority to accept \$5,000 in pass-through funds from the Department of Public Instruction with federal funding from the American Rescue Plan (ARP) Act, Elementary and Secondary School Emergency Relief (ESSER) III, for the operating line (\$5,000) to support a middle school summer program at Lake Metigoshe for students with visual impairment.

Representative Pollert moved to approve the request. Senator Kresbach seconded the motion. Voting yes were Wardner, Pollert, Kresbach, Kempenich, Jaeger, and Burgum. Motion carried.

**6. North Dakota Adjutant General (Request # 2064)**

Request withdrawn after numbering of the requests was initiated

**7. North Dakota State Historical Society (Request # 2065)**

Request authority for a line item transfer of \$335,400 from the grants line to the capital assets line (\$335,400) with permission from the National Parks Service to move funding from the grants line for uncompleted local government projects impacted by COVID to allow for capital improvement projects for state owned facilities listed on the National Register of Historic Places.

Secretary Jaeger moved to approve the request. Senator Krebsbach seconded the motion. Voting yes were Wardner, Pollert, Kresbach, Kempenich, Jaeger, and Burgum. Motion carried.

**8. North Dakota Department of Environmental Quality (Request # 2066)**

Request increased spending authority to accept \$1,015,000 in federal funds authorized by the federal Infrastructure Investment and Jobs Act (Public Law No. 117-58 effective November 15, 2021) for the salaries line (\$579,110) and the operating line (\$435,890) and authority for six FTE positions to review and award grants plus administrating new and expanded requirements from the U.S. Environmental Protection Agency (EPA) related to the lead and copper rule.

Senator Wardner moved to approve the request with the authority for four FTE positions and that the Director has the flexibility to choose the assignment of the duties for those positions. Senator Krebsbach seconded the motion. Voting yes were Wardner, Pollert, Kresbach, Kempenich, Jaeger, and Burgum. Motion carried.

**9. North Dakota Veteran's Home (Request # 2067)**

Request increased spending authority to accept \$1,805,000 from the U.S. Department of Health and Human Services, Health Resources and Services Administration, Provider Relief Fund, and American Rescue Plan Act of 2021, for cares act line (\$1,805,000) for expenses related to COVID mediation, equipment, supplies, salaries, furniture replacement, and physical space alterations.

Senator Krebsbach moved to approve the request. Representative Pollert seconded the motion. Voting yes were Wardner, Pollert, Kresbach, Kempenich, Jaeger, and Burgum. Motion carried.

**10. North Dakota Secretary of State (Request # 2068)**

Request increased spending authority to accept \$1,000,000 from the Federal Election Assistance Commission provided through the Consolidated Appropriations Act of 2022 (effective March 15, 2022) for the election reform line (\$1,000,000) to support the state's administration of elections, maintaining voting systems, technology, and security. The matching funds of \$200,000 will be transferred from account 263 to account 283, which is the interest bearing account as required by statutory provisions.

Representative Kempenich moved to approve the request. Representative Pollert seconded the motion. Voting yes were Wardner, Pollert, Kresbach, Kempenich, Jaeger, and Burgum. Motion carried.

The meeting adjourned at 11:34 a.m.

Respectfully submitted,



Alvin A Jaeger  
Secretary of State  
Secretary to the Emergency Commission