

EMERGENCY COMMISSION MEETING

**Monday, September 9, 2024 – 2:00 p.m.
State Capitol – Governor's Conference Room
600 East Boulevard Avenue Bismarck ND 58505**

MINUTES

Governor Burgum called a meeting of the Emergency Commissioner to order at 2:02 p.m. on September 9, 2024.

Members present were: Governor Doug Burgum, Secretary Michael Howe, Senator Jerry Klein, Representative Don Vigesaa, Senator Brad Bekkedahl, and Representative Mike Lefor. A quorum existed throughout the meeting.

Also in attendance for the meeting were: Susan Sisk, Office of Management and Budget Director; Becky Ulberg, OMB; Sherri Heinert, Office of the Secretary of State; Jace Beehler, Office of the Governor; Allen Knudson, John Bjornson, Legislative Council; Col. Mitch Johnson, General Huber, Jennifer Scheet, Adjutant General; Claire Ness and Becky Keller, Attorney General; Steve Ring and Dr. Alyssa Martin Center of Distance Education; Linda Schloer and Ann Ellefson, Department of Public Instruction; Mary Soucie, ND State Library; Kristin Lunneborg, ND Veterans Home

Ms. Sisk provided a summary of Commission authority for the 2023-2025 biennium, prior to consideration of current requests, and OMB approval recommendations.

Note: According to the provisions of N.D.C.C., Chapter 54-16, approved requests marked with an asterisk will be forwarded to the Legislative Budget Section committee for its meeting on September 18, 2024.

1. Department of Corrections & Rehabilitation (Request #2131)

WITHDRAWN from the 6/6/2024 meeting of the Emergency Commission

2. Department of Health and Human Services (Request #2133)

WITHDRAWN

3. Center for Distance Education *(Request #2134)

Center for Distance Education (CDE) is seeking an increase in special fund spending authority of \$2,500,000 due to increased enrollments. Currently, CDE has authority for \$4.5 million, so this increase in spending authority would bring the total to \$7 million. The \$2.5 million is made up of \$600,000 in ESSR funds from the Department of Public Instruction, and \$1.9 million in revenue from increased enrollments.

Upon motion duly made by Representative Lefor and seconded by Secretary Howe, The Center for Distance Education request #2134 was approved and the motion carried. Voting yes were Klein, Lefor, Bekkedahl, Vigesaa, Howe and Burgum.

4. North Dakota Department of Public Instruction *(Request #2135)

The Department of Public (NDDPI) Instruction is requesting an increase in special fund spending authority of \$700,000 to pay the costs of a food processing contract on behalf of school districts. This allows NDDPI to negotiate a single statewide food processing contract in which districts can participate.

The districts pay NDDPI, and then NDDPI pays the contract, resulting in a lower cost than if each district had negotiated a separate contract.

Upon motion duly made by Representative Vigesaa and seconded by Secretary Howe, ND Department of Public Instruction request #2135 was approved and the motion carried. Voting yes were Klein, Lefor, Bekkedahl, Vigesaa, Howe and Burgum.

5. North Dakota State Library *(Request #2136)

The North Dakota State Library (NDSL) is asking for line-item transfer authority of \$200,000 in federal funds from the grants line to the operating line. There is no change to NDSL's total spending authority. The transfer will allow NDSL to fully utilize federal funding available to support libraries and citizens.

Upon motion duly made by Representative Lefor and seconded by Representative Vigesaa, ND State Library request #2136 was approved and the motion carried. Voting yes were Klein, Lefor, Bekkedahl, Vigesaa, Howe and Burgum.

6. Adjutant General *(Request #2137)

The Office of the Adjutant General is seeking an increase in line-item spending authority of \$500,000 of federal funding in the Capital Assets line for contingency funds for construction of the Dickinson Readiness Center project. Last winter the Office of the Adjutant General expended additional funds on a deeper foundation to keep the project progressing through the winter months.

Upon motion duly made by Representative Lefor and seconded by Senator Bekkedahl, Adjutant General request #2137 was approved and the motion carried. Voting yes were Klein, Lefor, Bekkedahl, Vigesaa, Howe and Burgum.

7. North Dakota Veterans Home (Request #2138)

The North Dakota Veterans Home is requesting an increase in line-item spending authority of \$47,434.09 of CARES Act monies. This will allow acceptance and expenditure of funds received from FEMA for the reimbursement of expenses related to combatting COVID-19 and for completion of a hands-free entrance near the VA tele-health clinic.

Upon motion duly made by Senator Bekkedahl and seconded by Senator Klein, ND Veterans Home request #2138 was approved and the motion carried. Voting yes were Klein, Lefor, Bekkedahl, Vigesaa, Howe and Burgum.

8. Office of Attorney General *(Request #2139)

The Office of Attorney General is seeking an increase in line-item spending authority of \$3,000,000 in the Litigation Pool line from the general operating line. As of August 26, 2024 there has been \$3,628,885 expended from the Litigation Pool with another \$450,000 in vouchers that have been received and are awaiting payment. That leaves \$971,104 for the remaining 13 months of the biennium for ongoing and new cases.

Upon motion duly made by Representative Lefor and seconded by Senator Bekkedahl, The Office of Attorney General request #2139 was approved and the motion carried. Voting yes were Klein, Lefor, Bekkedahl, Vigesaa, Howe and Burgum.

9. North Dakota Department of Public Instruction *(Request #2140)

The North Dakota Department of Public Instruction (NDDPI) is asking for an increase in spending authority in the operating expense line of \$556,200 and an increase in spending authority in the other grants line of \$10,567,783 from federal funds. NDDPI applied for the federal Comprehensive Literacy State Development Grant that exists under federal statute from the Every Student Succeeds Act.

The Comprehensive Literacy State Development Grant will total \$44.9 million over the course of five years. NDDPI is only asking for authority over the first year of these funds. NDDPI will use the legislative budget process for the remainder of the funding authority.

Upon motion duly made by Senator Bekkedahl and seconded by Representative Lefor, ND Department of Public Instruction request #2140 was approved and the motion carried. Voting yes were Klein, Lefor, Bekkedahl, Vigasaa, Howe and Burgum.

10. Legislative Council *(Request #2141)

North Dakota Legislative Council is requesting authorization for 3 FTE positions. These positions include an agriculture policy position, an energy position, and a communications position.

Upon motion duly made by Representative Lefor and seconded by Representative Vigasaa, The Legislative Council request #2141 was approved and the motion carried. Voting yes were Klein, Lefor, Bekkedahl, Vigasaa, and Howe. Voting no was Burgum.

The meeting was adjourned at 3:43 p.m.

Respectfully submitted,

A handwritten signature in black ink that reads "Michael Howe". The signature is fluid and cursive, with a long horizontal line extending from the end of the name.

Michael Howe
Secretary of State
Secretary, Emergency Commission