

EMERGENCY COMMISSION MEETING
Minutes
Monday, June 20, 2016 – 11:00 a.m.

A meeting of the Emergency Commission was held on Monday, June 20, 2016, in the Governor's Conference Room. Present in the room were Governor Jack Dalrymple, Representative Jeff Delzer, and Secretary of State Al Jaeger. Participating via telephone were Senator Rich Wardner, Senator Ray Holmberg, and Representative Al Carlson. Governor Dalrymple called the meeting to order at 11:00 a.m.

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 June 27, 2016.

1. Office of Attorney General (Request # 1875)

Request line item transfer of \$17,581 from the abortion litigation fees line to the litigation fees line (\$17,581) and \$50,000 from the abortion litigation fees line to the operating line (\$50,000) for prosecution witness fees.

Senator Holmberg moved to approve the request. Senator Wardner seconded the motion. Voting yes were Jaeger, Wardner, Carlson, Holmberg, Delzer, and Dalrymple. Motion carried.

2. Office of Management and Budget (Request # 1876)

Request approval to transfer appropriation authority of \$47,044 from the state agency energy development impact funding pool for the biennium beginning July 1, 2015, as authorized in Section 5 of SB 2015 (Chapter 49, 2015 Session Laws), for employee housing rental assistance and temporary salary increases for employees affected by energy development in the following eligible agencies.

1. Tax Department (\$20,000)
2. State Historical Society of North Dakota (\$9,360)
3. Game and Fish Department (\$17,684)

Senator Wardner moved to deny the request. Rep. Carlson seconded the motion. Voting yes were Delzer, Jaeger, Wardner, Carlson, Holmberg, and Dalrymple. Motion carried.

3. ND Parks and Recreation Department * (Request # 1877)

Request approval for increased spending authority of \$150,000 to accept other funds from the Lewis & Clark Fort Mandan Foundation (\$150,000) for the agency's Lewis and Clark Interpretive line to support the development of temporary exhibits, promotion, interpretive programming and events.

Senator Wardner moved to approve the request. Representative Delzer seconded the motion. Voting yes were Holmberg, Delzer, Jaeger, Wardner, Carlson, and Dalrymple. Motion carried.

4. State Historical Society of North Dakota * (Request # 1878)

Request approval for increased spending authority of \$75,000 to accept state contingency funds for the operating line (\$75,000) to cover legal fees in the state's defense of lawsuit filed by contractor related to the expansion of the Heritage Center.

Secretary Jaeger moved to approve the request with the stipulation that any unused funds will be returned to the contingency fund and that any legal fees recovered would be deposited into the contingency fund. Governor Dalrymple seconded the motion. Voting yes were Holmberg, Jaeger, Wardner, and Dalrymple. Voting no were Carlson and Delzer. Motion carried.

5. Department of Public Instruction * (Request #1879)

Request approval for increased spending authority of \$500,000 to receive reimbursements from school districts for operating line (\$500,000) to offset the increase in contracts facilitated by the agency under the U.S. Department of Agriculture National School Lunch Program (NSLP) for bulk commodities processed into food items served by schools.

Senator Wardner moved to approve the motion. Secretary of State Jaeger seconded the motion. Voting yes were Wardner, Carlson, Holmberg, Delzer, Jaeger, and Dalrymple. Motion carried.

6. Secretary of State * (Request # 1880)

Request approval for line item transfer of \$208,000 from operating line to the salaries line (\$208,000) for temporary personnel hired through HRMS postings to provide staff support during agency's development of its software solution for office operations.

Representative Carlson moved to approve the motion. Representative Delzer seconded the motion. Voting yes were Jaeger, Wardner, Carlson, Holmberg, Delzer, and Dalrymple. Motion carried.

7. Secretary of State * (Request # 1881)

Request approval for increased spending of \$570,000 to receive additional revenue for the operating line (\$570,000) associated with the agency's general services operating fund that is generated by the agency's electronic central indexing system and contractor licensing functions.

Representative Delzer moved to approve the request with an amended increase of \$150,000 in spending authority. Representative Carlson seconded the motion. Voting yes were Delzer, Jaeger, Wardner, Carlson, Holmberg, and Dalrymple. Motion carried.

8. Retirement and Investment Office (Request # 1882)

Executive Session permitted under N.D.C.C. § 44-04-19.1(2) to receive a legal consultation regarding a contingency fee request that is not subject to N.D.C.C. sections 44-04-18 and 44-04-19 pursuant to N.D.C.C. § 54-12-08.1.

Secretary of State Jaeger moved to go into Executive Session. Senator Wardner seconded the motion. Voting yes were Holmberg, Delzer, Jaeger, Wardner, Carlson, and Dalrymple.

The Executive Session began at 11:45 a.m. In attendance were Governor Jack Dalrymple; Senator Rich Wardner; Representative Al Carlson; Senator Ray Holmberg; Representative Jeff Delzer; Secretary of State Al Jaeger; Sheila Peterson, OMB; Dave Hunter, Executive

Director, Retirement and Investment Office; Jan Murtha, Assistant Attorney General, legal counsel for the Retirement and Investment Office; and Kim Shaw, Executive Assistant, Office of the Secretary of State.

The Executive Session concluded at 12:02 p.m. and returned to an open meeting

Senator Wardner moved to approve the contingency fee request. Secretary of State Jaeger seconded the motion. Voting yes were Carlson, Holmberg, Delzer, Jaeger, Wardner, and Dalrymple.

The meeting adjourned 12:04 p.m.

Respectfully submitted,



Alvin A. Jaeger
Secretary of State
Secretary to Emergency Commission