

**EMERGENCY COMMISSION MEETING MINUTES
MONDAY, JUNE 17, 2019 - 1:30 P.M.
GOVERNOR'S CONFERENCE ROOM**

Members Present in Conference Room: Governor Doug Burgum, Senator Rich Wardner, and Secretary of State Al Jaeger. Members Present by Telephone: Representative Chet Pollert, Representative Keith Kempenich (for Representative Jeff Delzer), and Senator Ray Holmberg.

Governor Burgum called the meeting to order at 1:30 p.m.

1. Office of the Attorney General (Request # 1936)

Request approval for a line item transfer of \$50,000 from litigation fees line to operating line (\$50,000) to pay prosecution witness fees and expenses for district court criminal cases and juvenile court cases to counties required by N.D.C.C. § 27-20-49(2) and N.D.C.C. § 31-01-16.

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

2. ND Council on the Arts (Request # 1937)

Request approval for a line item transfer for the 2019/2021 biennium of \$8,000 from grants line to salaries line (\$8,000) for salary of temporary staff to administer the poetry out loud program.

Secretary Jaeger moved to approve the request. Senator Wardner seconded the motion. Voting yes were Wardner, Holmberg, Jaeger, and Burgum. Voting no were Pollert and Kempenich. Motion carried.

3. ND Council on the Arts * (Request # 1941)

Request approval for a line item transfer for the 2019/2021 of \$10,000 from grants line to salaries line (\$10,000) because poet laureate grant program was eliminated, which will provide additional funding for temporary staff.

Secretary Jaeger moved to approve the request. Senator Wardner seconded the motion. Voting yes were Wardner, Holmberg, Jaeger, Kempenich, and Burgum. Voting no was Pollert. Motion carried.

4. Office of State Tax Commissioner * (Request # 1938)

Request increased spending authority of \$300,000 to accept state contingency funds for the homestead tax credit line (\$300,000) to comply with statutory provisions of the homestead tax credit program for processing renter refunds and the annual allocation to the counties and state medical center according to N.D.C.C. § 57-02.08.1 and N.D.C.C. § 57-02-08.2.

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

5. Adjutant General * (Request # 1940)

Request spending approval for \$494,914.49 from the State Disaster Relief Fund (DRF), per N.D.C.C. § 37-17.1-27 to pay state share of expenses associated with presidential declared disasters and incurred from March 6, 2019 through June 30, 2019. The funds were appropriated in HB 1016 (2017 Session Laws, Chapter 1016).

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

6. Retirement and Investment Office (Request # 1939)

Pursuant to N.D.C.C. § 54-12-08.1, request approval for contingency fee agreement related to Danske Bank Litigation with information not subject to N.D.C.C. § 44-04-18 and N.D.C.C. § 44-04-19 and which will be discussed in Executive Session as permitted under N.D.C.C. § 44-04-19.1(2) and N.D.C.C. § 44-04-19.2.

Secretary Jaeger moved under the authority of the North Dakota Century Code Sections 44-04-19.1 and 44-04-19.2 that the Commission close the meeting to the public and go into executive session to discuss the contingency fee arrangement related to the Danske Bank litigation. Senator Wardner seconded the motion. Voting yes were Holmberg, Kempenich, Jaeger, Wardner, Pollert, and Burgum. Motion carried.

The Executive Session began at 2:10 p.m. In attendance were Governor Doug Burgum, Senator Rich Wardner; Representative Chet Pollert; Senator Ray Holmberg; Representative Keith Kempenich; Secretary of State Al Jaeger; Joe Morrissette, Director of OMB; Anders Odegaard, Assistant Attorney General for the Retirement and Investment Office; Connie Flanagan, Chief Financial Officer for the Retirement and Investment Office; and Jill Schwab, Executive Assistant, Office of the Secretary of State.

The Executive Session concluded at 2:20 p.m. and returned to an open meeting.

Secretary Jaeger moved to approve contingency fee agreement related to the Danske Bank litigation. Senator Wardner seconded the motion. Voting yes were Pollert, Holmberg, Kempenich, Jaeger, Wardner, and Burgum. Motion carried.

The meeting adjourned 2:25 p.m.

Respectfully submitted,



Alvin A. Jaeger
Secretary of State
Secretary to Emergency Commission