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'AUG 16 2012

SEC. OF STATE

1801 #2

Date August 10, 2012	Department Number 127	Department Name OFFICE OF STATE TAX COMMISSIONER	
Authorized Department Signature 		Name of Contact Person GLENDA ANDERSON	Telephone Number 328-3462

1. Was any portion of this request presented to the last legislative session? (If yes, please explain legislative action in narrative) ☐ Yes ☒ No

2. Is any portion of this request a new program? (If yes, please explain in narrative) ☐ Yes ☒ No

3. Will the legislature be asked to continue this program in the next biennium? ☒ Yes ☐ No

4. Will this program require an increase in authorized FTE? ☐ Yes ☒ No
If yes, how many?

7. Will this program require state general fund money for a match in this biennium? ☐ Yes ☒ No
If yes, estimate the amount of general fund money needed and explain its source in the narrative

8. Will this program require state general fund money in the next biennium? ☐ Yes ☒ No
If yes, estimate the amount of general fund money needed in the next biennium. _____

9. Source of Funds for Increased spending authority (check applicable box)

☒ Federal ☐ State Contingency Funds ☐ Other _____

10. Is this a pass-through from another agency? ☐ Yes ☒ No If yes, from which agency? _____

11. If this program is federally funded, will the legislature be asked to continue it if federal funds are no longer available? ☐ Yes ☒ No

If yes, estimate the amount of general fund money needed in the next biennium.

12. Specify below the line item to be increased and the amount of the increase.

Line Item

Amount

Operating Expenses	\$65,000
--------------------	----------

Capital Assets	\$50,000
----------------	----------

\$115,000 TOTAL

PART D: INTRA-AGENCY LINE ITEM TRANSFER

FROM - Line Item

TO - Line Item

Amount

PART E: NARRATIVE (attach separate sheets if necessary)

The Office of State Tax Commissioner is expecting to receive \$115,000 in additional federal funds for the Department's Motor Fuel Tax enforcement program. The Department already is receiving federal funds for this program so this request is for additional federal fund spending authority for an existing federal grant program. Please see attached for additional explanation regarding this request.

Emergency Commission Request
August 10, 2012
Continuation of Part E: Narrative
Motor Fuel tax enforcement program federal grant

The Tax Department is expecting to receive \$115,000 in additional federal funds for the Department's motor fuel tax enforcement program. The Department already is receiving federal funds for this program so this request is for additional federal fund spending authority for an existing grant program.

The Tax Department may use the additional federal funds for the following activities:

- expand efforts to enhance motor fuel tax enforcement which may include training, travel, the purchase of specially-equipped vehicles, testing equipment and supplies necessary for conducting compliance checks;
- supplement motor fuel tax examinations and criminal investigations;
- evaluate and implement registration and reporting requirements for motor fuel taxpayers;
- analyze and implement programs to reduce tax evasion associated with other highway use taxes;
- address issues related to Indian tribes and State motor fuel taxes; and
- analyze and implement programs to reduce tax evasion associated with foreign imported fuel.



REQUEST TO EMERGENCY COMMISSION
STATE OF NORTH DAKOTA
SFN 02580 (9-2007)

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AUG 30 2012

1803 #4

SEC. OF STATE

For reference, see North Dakota Century Code, Chapter 54-16

Date 07/26/2012		Department Number 75000		Department Name ND Parks & Recreation Department	
Authorized Department Signature <i>Dorothy Streyle</i>		Name of Contact Person Dorothy Streyle		Telephone Number 328-5360	
PART A: BACKGROUND					
1. Was any portion of this request presented to the last legislative session? (If yes, please explain legislative action in narrative)				<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
2. Is any portion of this request a new program? (If yes, please explain in narrative)				<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
3. Will the legislature be asked to continue this program in the next biennium?				<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
PART B: FTE					
4. Will this program require an increase in authorized FTE?				<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If yes, how many?				<div style="border: 1px solid black; width: 150px; height: 15px;"></div>	
PART C: INCREASE IN APPROPRIATION LINE ITEM					
7. Will this program require state general fund money for a match in this biennium?				<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If yes, estimate the amount of general fund money needed and explain its source in the narrative				<div style="border: 1px solid black; width: 150px; height: 15px;"></div>	
8. Will this program require state general fund money in the next biennium?				<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If yes, estimate the amount of general fund money needed in the next biennium.				<div style="border: 1px solid black; width: 150px; height: 15px;"></div>	
9. Source of Funds for increased spending authority (check applicable box)					
<input type="checkbox"/> Federal <input type="checkbox"/> State Contingency Funds <input checked="" type="checkbox"/> Other <u>State park generated revenues</u>					
10. Is this a pass-through from another agency? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, from which agency?					
11. If this program is federally funded, will the legislature be asked to continue it if federal funds are no longer available?				<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If yes, estimate the amount of general fund money needed in the next biennium.				<div style="border: 1px solid black; width: 150px; height: 15px;"></div>	
12. Specify below the line item to be increased and the amount of the increase.					
<u>Line Item</u>				<u>Amount</u>	
Natural Resources Program				150,000.00	
PART D: INTRA-AGENCY LINE ITEM TRANSFER					
<u>FROM - Line Item</u>		<u>TO - Line Item</u>		<u>Amount</u>	
PART E: NARRATIVE (attach separate sheets if necessary)					
See Attached					

**North Dakota Parks and Recreation Department
Emergency Commission Request
September 10, 2012**

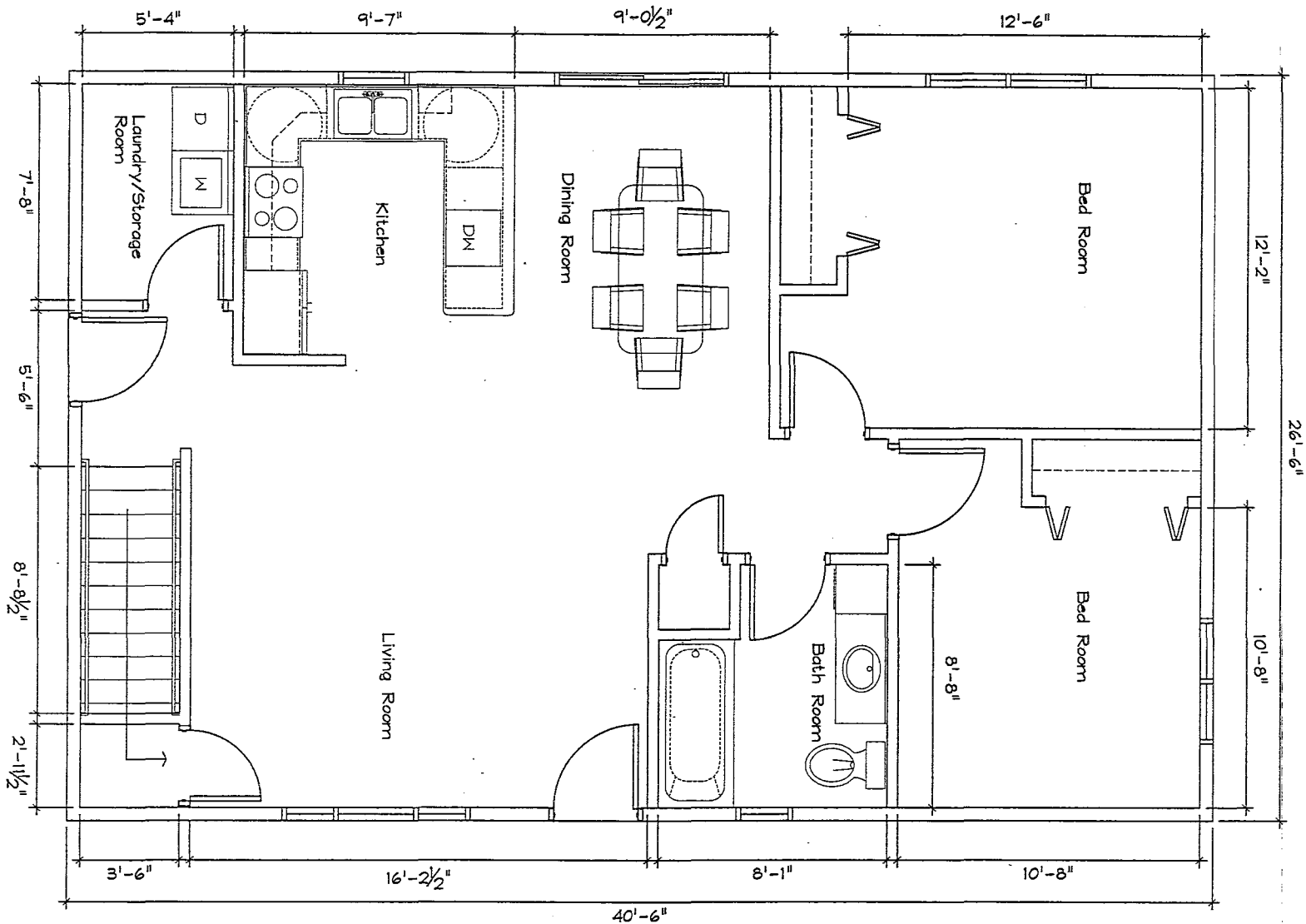
This request, if approved, will provide housing at Lewis & Clark State Park for the recently transferred Park Ranger. Proposed funding is \$150,000 other funds utilizing state park generated revenues. Funding will include costs for a foundation and modular home. The home is a modest 1,060 square feet, ranch style, 2 bedroom, 1 bathroom and kitchen on the main floor. The square footage is consistent with all other state park residences in which park rangers reside. The residence will be placed on a full unfinished basement. Costs for connection to utility services are included in the budget. See attached floor plan drawing. Proposed construction dates would begin immediately upon approval with completion projected for spring 2013.

Background information includes the following factors which contributed to the decision to transfer a position to Lewis & Clark State Park.

In June of 2012, the interpreter at Cross Ranch accepted another position out of state. At that time we re-evaluated department needs and decided a Ranger was needed to assist the Lewis & Clark Park Manager, the only FTE currently residing within the park. The position was reclassified and transferred as a Park Ranger. The addition has helped reduce the law enforcement/security work load of the park manager. All FTE park rangers in the system are required to live in the state park. Housing is made available to ensure 24 hour/day coverage of law enforcement/emergency services between the 2 FTE law enforcement staff.

- Increase in visitation of 150% from 2006 to 2011, due to the growing interest in recreation as well as oil traffic in the western part of the state. In correlation to that increase in visitation, Lewis & Clark State Park revenues have increased 300% since 2010.
- Camping nights have increased from 436 in 2003 to 1,901 in 2012, an increase of 336%.
- Our seasonal staff put in an average 4486 hours per year in 2009 and as of August 2012 they have put in 5658 hours with 5 more months before the year is over. Our manager and ranger have put in 425 hours for law enforcement patrol in 2011, increasing to 480 in 2012 hours. Those increased hours included:
- 58 Total arrest offenses to include
 - Drugs (8)
 - Concealed/Loaded Weapons (6)
 - DUI (6)
 - BUI (3)
 - Warrant for Arrest (3)
 - Destruction of Government Property (5)
 - Theft (15)
 - Disorderly Conduct (12)
 - 9 Rescue Operations on Lake Sakakawea
 - 15 Calls for Assistance from other agencies or 911 calls

We ask for your favorable consideration regarding this request to address oil impact concerns within Lewis & Clark State Park.



1600 East Century Avenue, Suite 3
 Bismarck, ND 58503-0549
 P: (701) 328-5357
 E: vrhodes@nd.gov / jjohnston@nd.gov

Drawn: June 21, 2012
 File Name: R1Plans
 Revision Number: R1
 Drawn By: VCR
 Checked By: VCR
 Scale: 1/8" = 1'-0"

North Dakota State Parks
 Typical Residence
 Various Locations
 North Dakota

Drawings:
 Floor Plan - 2 Bedroom (1060 s.f.)



PR4
 Sheet Number



REQUEST TO EMERGENCY COMMISSION
STATE OF NORTH DAKOTA
SFN 02580 (9-2007)

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1804 #5

For reference, see North Dakota Century Code, Chapter 54-16

Date 8/31/2012	Department Number 540	Department Name Office of Adjutant General - State Radio Division
Authorized Department Signature 	Name of Contact Person Holly Gaugler	Telephone Number 333-2079

PART A: BACKGROUND

1. Was any portion of this request presented to the last legislative session? (If yes, please explain legislative action in narrative) ☒ Yes ☐ No
2. Is any portion of this request a new program? (If yes, please explain in narrative) ☐ Yes ☒ No
3. Will the legislature be asked to continue this program in the next biennium? ☒ Yes ☐ No

PART B: FTE

4. Will this program require an increase in authorized FTE? ☐ Yes ☒ No
If yes, how many?

PART C: INCREASE IN APPROPRIATION LINE ITEM

7. Will this program require state general fund money for a match in this biennium? ☐ Yes ☒ No
If yes, estimate the amount of general fund money needed and explain its source in the narrative
8. Will this program require state general fund money in the next biennium? ☐ Yes ☒ No
If yes, estimate the amount of general fund money needed in the next biennium.
9. Source of Funds for increased spending authority (check applicable box)
☒ Federal ☐ State Contingency Funds ☐ Other Emergency Management Performance Grant
10. Is this a pass-through from another agency? ☐ Yes ☒ No If yes, from which agency?
11. If this program is federally funded, will the legislature be asked to continue it if federal funds are no longer available? ☐ Yes ☒ No
If yes, estimate the amount of general fund money needed in the next biennium.
12. Specify below the line item to be increased and the amount of the increase.

Line Item

Amount

PART D: INTRA-AGENCY LINE ITEM TRANSFER

FROM - Line Item

TO - Line Item

Amount

Grants (line 60)

Radio Communications (line 71)

\$250,000

PART E: NARRATIVE (attach separate sheets if necessary)

The Office of Adjutant General, State Radio Division requests a line item transfer from our Grants line to the Radio Communications line to expend federal grant funding from the Emergency Management Performance Grant Program, (EMPG). Current EMPG grant funding has become available, (\$250,000) to assist State Radio in closing the gap areas in the State Radio Tower System. The 2011 Legislature provided an appropriation for this project totaling \$1.5 million to add approximately four additional towers or as many as possible within the appropriation. This was a result of a study conducted which identified 12 gap areas throughout the state. This funding will significantly enhance our ability to fill those gap areas with additional towers and allow greater progress during this current biennium while utilizing existing federal grant funds.



REQUEST TO EMERGENCY COMMISSION
STATE OF NORTH DAKOTA
SFN 02580 (9-2007)

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AUG 31 2012

1806 #7

For reference, see North Dakota Century Code, Chapter 54-16

SEC. OF STATE

Date August 31, 2012	Department Number 108	Department Name Secretary of State
Authorized Department Signature <i>Al Jaeger</i>	Name of Contact Person Al Jaeger	Telephone Number 328-3670

PART A: BACKGROUND

1. Was any portion of this request presented to the last legislative session? (If yes, please explain legislative action in narrative) ☐ Yes ☒ No
2. Is any portion of this request a new program? (If yes, please explain in narrative) ☐ Yes ☒ No
3. Will the legislature be asked to continue this program in the next biennium? ☒ Yes ☐ No

PART B: FTE

4. Will this program require an increase in authorized FTE? ☐ Yes ☒ No
If yes, how many?

PART C: INCREASE IN APPROPRIATION LINE ITEM

7. Will this program require state general fund money for a match in this biennium? ☐ Yes ☒ No
If yes, estimate the amount of general fund money needed and explain its source in the narrative
8. Will this program require state general fund money in the next biennium? ☐ Yes ☒ No
If yes, estimate the amount of general fund money needed in the next biennium.
9. Source of Funds for increased spending authority (check applicable box) Agency's General Services Special Fund
☐ Federal ☐ State Contingency Funds ☒ Other
10. Is this a pass-through from another agency? ☐ Yes ☒ No If yes, from which agency?
11. If this program is federally funded, will the legislature be asked to continue it if federal funds are no longer available? ☐ Yes ☒ No
If yes, estimate the amount of general fund money needed in the next biennium.
12. Specify below the line item to be increased and the amount of the increase.

Line Item

Amount

Salaries

\$196,000

PART D: INTRA-AGENCY LINE ITEM TRANSFER

FROM - Line Item

TO - Line Item

Amount

PART E: NARRATIVE (attach separate sheets if necessary)

See attached addendum with narrative

Addendum – narrative for Secretary of State request dated August 31, 2012

On June 12, 2012, the Emergency Commission granted approval for a line item transfer of \$295,000 from the agency's operating line to the salaries line and authorization for three additional FTE positions. Since then, all three FTE have been hired. The last two FTE begin their duties on September 4. It was also possible to retain a long-time FTE with 39 years of experience who is a person essential to the agency's technology project.

Since the approval of that request, the agency has refined its projections for its salary requirements to the end of the biennium, which is the reason for this request.

To fund these salary requirements, the agency is requesting increased spending authority of \$196,000 for its General Services Fund special account (N.D.C.C. § 54-09-08) and for the salary line. Based on current revenue projections for the special fund and because of the receipt of significant revenue of almost \$189,000 for the special fund in July, the agency will exceed its special fund spending authority by the end of the biennium. The increased spending authority for the special fund will allow the agency to utilize the extra revenue to fund the salary requirements. No general fund dollars are involved.

The funds will be used for temporary full-time employees and to pay overtime for the agency's FTE's.

Although not related to this request, because of space limitations, the agency moved eight FTE off of the capitol campus and they are now located in the lower level of the North Dakota Association of Counties building on Capitol Way in Bismarck.

In the narrative for the June request, I reported that 1,300 new contractor licenses had been issued by this agency since the first of the year. Now, three months later, that number has increased by 1,100 to approximately 2,400 new contractor licenses that have been issued since the first of the year. In its database on August 30, 2011, the agency had 7,533 active contractor licenses. On August 30, 2012, the number of active contractor licenses is listed as 11,354, an increase of 3,812 or 51% in one year.

I also reported that the average number of business registration filings through April had increased 70% from the beginning of the biennium compared with the entire previous biennium. That percentage changed because at the end of June, the monthly average during the first year of the biennium had increased by 92% compared with the monthly average for the entire previous biennium. The accompanying graph shows the registration history and that it increased significantly beginning last July, which coincides with the Minot flooding disaster.

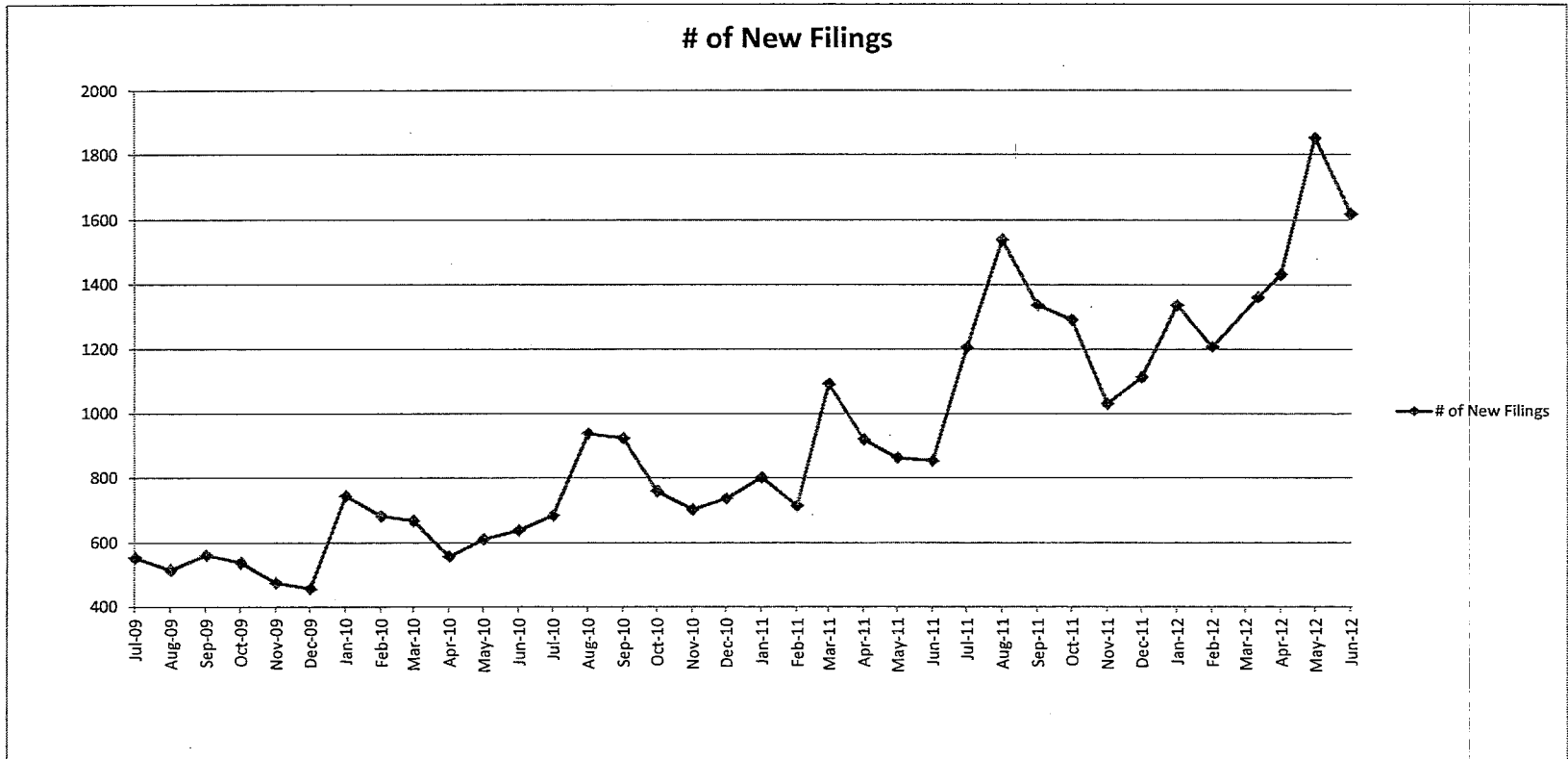
All of this activity is reflected in the revenue generated by the agency for the state's general fund. When the agency's budget was submitted in 2010, the agency had estimated general fund revenue for the biennium of \$7,900,000. At the end of July, the agency had already generated revenue of \$6,365,304 and was over the estimated revenue budget at the end of July by \$2,086,138. This is noteworthy because the agency's fees have remained mostly unchanged since 1993.

To allow staff to have essential time to decrease the turnaround on the processing of business registrations, the agency changed the hours it was open from nine to six hours a day beginning in April. When this change was implemented, the turnaround was approximately six weeks.

After implementation, the agency was still able to accommodate walk-in traffic and also achieve the goal of having uninterrupted time to process documents. It worked. On August 30, 2012, the turnaround was approximately two weeks, which is equivalent to the agency's standards prior to the significant increase in registrations and processing beginning a little over a year ago.

This progress was made possible by the dedication and hard work on the part of the agency's FTE who have done an outstanding job of providing services under very challenging circumstances. On September 4, the agency returned to its regular open hours with the goal of maintaining the processing of documents and licensing within the two week time frame. With the additional FTE and support already authorized and with this request, it is anticipated that this will be possible to maintain as nearly as possible to that goal. However, it will take time to train the new personnel in the filing of the many and varied legal business documents.

Months	# of New Filings
Jul-09	551
Aug-09	514
Sep-09	559
Oct-09	537
Nov-09	474
Dec-09	457
Jan-10	744
Feb-10	681
Mar-10	667
Apr-10	555
May-10	610
Jun-10	638
Jul-10	683
Aug-10	937
Sep-10	923
Oct-10	759
Nov-10	701
Dec-10	736
Jan-11	801
Feb-11	713
Mar-11	1092
Apr-11	919
May-11	862
Jun-11	853
Jul-11	1206
Aug-11	1539
Sep-11	1336
Oct-11	1291
Nov-11	1030
Dec-11	1113
Jan-12	1336
Feb-12	1208
Mar-12	1361
Apr-12	1431
May-12	1851
Jun-12	1619





REQUEST TO EMERGENCY COMMISSION
STATE OF NORTH DAKOTA
SFN 02580 (9-2007)

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1807 #8

For reference, see North Dakota Century Code, Chapter 54-16

SEC. OF STATE

Date 9/6/2012	Department Number 301	Department Name North Dakota Department of Health - Environmental Health
Authorized Department Signature <i>Arvy Smith</i>	Name of Contact Person Arvy Smith	Telephone Number 701-328-2392

PART A: BACKGROUND

1. Was any portion of this request presented to the last legislative session? (If yes, please explain legislative action in narrative) ☐ Yes ☒ No
2. Is any portion of this request a new program? (If yes, please explain in narrative) ☐ Yes ☒ No
3. Will the legislature be asked to continue this program in the next biennium? ☒ Yes ☐ No

PART B: FTE

4. Will this program require an increase in authorized FTE? ☒ Yes ☐ No
If yes, how many?

Three

PART C: INCREASE IN APPROPRIATION LINE ITEM

7. Will this program require state general fund money for a match in this biennium? ☐ Yes ☒ No
If yes, estimate the amount of general fund money needed and explain its source in the narrative
8. Will this program require state general fund money in the next biennium? ☒ Yes ☐ No
If yes, estimate the amount of general fund money needed in the next biennium.

\$747,500
9. Source of Funds for increased spending authority (check applicable box)
☐ Federal ☒ State Contingency Funds ☐ Other _____
10. Is this a pass-through from another agency? ☐ Yes ☒ No If yes, from which agency? _____
11. If this program is federally funded, will the legislature be asked to continue it if federal funds are no longer available? ☐ Yes ☒ No
If yes, estimate the amount of general fund money needed in the next biennium.
12. Specify below the line item to be increased and the amount of the increase.

<u>Line Item</u>	<u>Amount</u>
Salaries and Wages	\$145,449
Operating	\$134,865
 Total	 \$280,314

PART D: INTRA-AGENCY LINE ITEM TRANSFER

<u>FROM - Line Item</u>	<u>TO - Line Item</u>	<u>Amount</u>
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PART E: NARRATIVE (attach separate sheets if necessary)

The Department of Health (DoH) is requesting authority to add three new FTE in the Environmental Health Section of the agency as a result of increased oil activity in western North Dakota. See Attachment for a full description and responsibilities of each position.

NORTH DAKOTA DEPARTMENT OF HEALTH
EMERGENCY COMMISSION – SEPTEMBER 2012

I. Municipal Facilities

1 FTE

Job Duties: Public Water System Inspections
 Operator Training/Compliance Outreach
 Enforcement/Investigations
 Citizen Complaint Follow-up

This FTE will be responsible for in the field oversight of public water system treatment, storage and distribution facilities located in the oil development area. Daily duties will include facility inspections, operator training and enforcement activities associated with the federal/state Safe Drinking Water and Clean Water Acts. Recent escalation in the number of public drinking water systems concurrent with a declining number of certified operators in the oil development area has resulted in an increasing number of violations.

In addition, this FTE will be required to investigate citizen complaints, coordinate activities with local health units and collect evidence for potential enforcement action.

II. Water Quality

1 FTE

Job Duties: Spill Response/Remediation Oversight
 Citizen Complaint Response

This FTE will be responsible to work with the spill response team (SRT) to investigate and provide cleanup oversight as needed of accidental and illegal oilfield waste releases. Release oversight may be required during normal business hours, nights and weekends. Oversight is required to ensure the appropriate response, reporting and cleanup has been implemented by the responsible party or remediation consulting firm.

In addition, this FTE will be required to investigate citizen complaints, coordinate activities with local health units and collect evidence for potential enforcement action.

III. Water Quality

1 FTE

Job Duties: NPDES Wastewater Treatment Inspections
 Septic Tank Hauler/Land Application
 Citizen Complaint Response

This FTE will be responsible to ensure the proper implementation of septic tank hauler regulations in the field. This will include, but not be limited to, conducting investigations ensuring the proper handling, storage, treatment and disposal of wastewater generated by crew camps, drilling rigs, RV parks and small communities.

In addition, this FTE will be required to investigate citizen complaints, coordinate activities with local health units and collect evidence for potential enforcement action.