



REQUEST TO EMERGENCY COMMISSION
SECRETARY OF STATE
 (See SFN 02580)

Received: 05/15/2026

Request #: 2165

Requestor Information

Department name: North Dakota Public Service Commission
 Department number: 40800
 Name of contact person: Bailey Doll
 Telephone number: (701) 328-2400

Purpose of Request

Is this request related to a state emergency? No
 Purpose of request: Increase in line item spending authority

Line Item	Amount
40870	\$6,000,000

Funding Information

What is the source of funds for the requested increase? Federal
 Is the funding source a pass-through from another agency? No
 Will continued funding be required if Federal funds are no longer available? No
 Does the request require a general fund match in this bienium? No
 Will the request require general fund support in the next biennium? No

Background Information

Was any portion of the request presented during the previous legislative session? No
 Is the request for a new program? No
 Does the request require an FTE increase? No
 Does the request conform with legislative intent? Yes

Provide explanation:

The spending authority for AML Contractual is already approved for \$6 million through the 25-27 Legislative Session. We are seeking an additional \$6 million in spending authority to support the federal funding the PSC has received for the Abandoned Mine Lands division from the Office of Surface Mining Reclamation and Enforcement (OSMRE) within the U.S. Department of the Interior. The additional spending authority will support the federal funds that will be used to reclaim abandoned mine lands to align with the mission of North Dakota's AML program.

Other Information

Statutory provisions that relate to this request:
 NDCC 38-14.2 and NDAC 69-05.3

Provide an explanation as to how the request supports state priorities, improves state efficiencies, and promotes effective state government:
 The additional spending authority will promote the reclamation of mined areas left without adequate reclamation prior to the enactment of NDCC 38-14.2 and which continue, in their unreclaimed condition, to substantially degrade the quality of the environment, prevent or damage the beneficial use of land or water resources, or endanger the health or safety of the public. Most of the upcoming projects have already received approval from both federal and state agencies, and those approvals are subject to time constraints. Additionally, the federal grants the AML division has been awarded require these funds be spent for their intended purposes with a specific budget period. If the funds are not spent within the designated budget period of the grant, the funds will need to be returned to the awarding agency (OSM) and will likely be reallocated to another AML program located in a different state.



Provide any other relevant information:

In 2023, the commission received additional federal funding under the Infrastructure and Investment Jobs Act (IIJA) which doubled our yearly federal grants that were awarded to the AML division. However, during the last 25-27 legislative session, the commission was unsure if these funds would be made available for the AML program due to changes in the Administration of the federal government; therefore, the commission did not request an increase in spending authority for the AML Contractual line.

Signature

I, the undersigned, have read this Request, know the contents, and believe the statements contained within to be true.

Bailey Doll

05/15/2026

Sign Here

Date