



# North Dakota Legislative Council

Prepared for Budget Section  
LC# 23.9426.01000  
December 2022

## EMERGENCY COMMISSION APPROVAL LIMITS

North Dakota Century Code Chapter 54-16 establishes the Emergency Commission and provides for its membership and duties. State agencies may petition the Emergency Commission to accept and expend special or federal funds not appropriated by the Legislative Assembly. Certain approvals made by the Emergency Commission also must be approved by the Budget Section. Senate Bill No. 2290 (2021) adjusted the process for the Emergency Commission and Budget Section to approve requests and provided for a limit on the total dollar amount that may be approved by the Emergency Commission during a biennium.

The following schedule details the approvals needed by the Emergency Commission and Budget Section based on the dollar amount of a request:

Request Amount	Approvals Needed	Budget Section Authority to Amend Request
Less than \$50,000 \$50,000 to \$3,000,000 Over \$3,000,000	Emergency Commission only Emergency Commission and Budget Section Emergency Commission and Budget Section	Not applicable Budget Section may not amend the request Budget Section may amend the request. If amended, the request is deemed approved by the Emergency Commission in the amended format.

Senate Bill No. 2290 provided the Emergency Commission may not approve more than \$50 million of federal funds spending authority or \$5 million of special funds spending authority during a biennium. House Bill No. 1506 (2021), as approved during the November 2021 special legislative session, increased the special funds spending authority limit to \$20 million for the 2021-23 biennium. The spending limits do not apply to federal highway administration emergency relief funding received by the state or to disaster or emergency recovery funding received by the Adjutant General.

The following schedule details the Emergency Commission requests approved to date and the requests approved by the Emergency Commission on November 29, 2022, that are being considered by the Budget Section:

Emergency Commission Requests	Federal Funds	Other Funds
Total amount available to be authorized	\$50,000,000	\$20,000,000
June 16, 2021, requests approved		
Request #2034 - Department of Environmental Quality	(750,000)	
Request #2037 - Council on the Arts		(269,000)
Request #2041 - Department of Human Services	(1,700,000)	
August 26, 2021, requests approved		
Request #2042 - Agriculture Commissioner		(2,500,000)
September 10, 2021, requests approved		
Request #2043 - Department of Career and Technical Education	(150,000)	
Request #2044 - Department of Career and Technical Education	(200,000)	
Request #2045 - Department of Career and Technical Education	(290,000)	
Request #2048 - Department of Financial Institutions		(275,000)
December 6, 2021, requests approved		
Request #2049 - Highway Patrol		(66,431)
Request #2050 - State Historical Society	(75,000)	
Request #2051 - Office of Management and Budget	(1,167,468)	
Request #2052 - Department of Environmental Quality	(1,200,000)	
Request #2053 - Department of Environmental Quality		(2,056,000)

<b>Emergency Commission Requests</b>	<b>Federal Funds</b>	<b>Other Funds</b>
March 23, 2022, requests approved		
Request #2054 - Department of Human Services	(158,610)	
Request #2056 - Department of Commerce	(1,200,000)	
June 17, 2022, requests approved		
Request #2059 - Insurance Commissioner		(250,000)
Request #2060 - Department of Career and Technical Education		(1,500,000)
Request #2061 - Industrial Commission	(2,500,000)	
Request #2062 - Department of Transportation		(7,173,530)
Request #2063 - North Dakota Vision Services - School for the Blind	(5,000)	
Request #2066 - Department of Environmental Quality	(1,015,000)	
Request #2067 - Veterans' Home	(1,805,000)	
Request #2068 - Secretary of State	(1,000,000)	
September 15, 2022, requests approved		
Request #2070 - Department of Commerce	(1,550,000)	
Request #2071 - Department of Commerce	(250,000)	
Request #2073 - Industrial Commission	(45,200)	
Request #2076 - Department of Commerce	(14,222,975)	
Request #2077 - Department of Commerce	(1,306,112)	
Request #2078 - Governor's office		(65,000)
Request #2079 - Agriculture Commissioner	(420,000)	
Request #2080 - Council on the Arts	(28,000)	
Remaining authority	\$18,961,635	\$5,845,039
November 29, 2022, requests approved by the Emergency Commission		
Request #2083 - Information Technology Department	(\$516,000)	
Request #2084 - Information Technology Department		(\$4,500,000)
Request #2085 - Information Technology Department	(5,000,000)	
Request #2086 - Department of Career and Technical Education	(640,000)	
Request #2087 - Department of Public Instruction		(1,000,000)
Request #2090 - Adjutant General	(3,068,505)	
Request #2091 - Department of Public Instruction	(4,833,025)	
Request #2092 - Attorney General	(2,000,000)	
Request #2093 - Department of Commerce	(572,143)	
Request #2095 - Office of Management and Budget	(1,000,000)	
Potential remaining authority available	\$1,331,962	\$345,039