

Minutes of a Meeting of the Industrial Commission of North Dakota
Held on April 28, 2020 beginning at 11:00 a.m.
Pioneer Room - State Capitol

Present: Governor Doug Burgum, Chairman
Attorney General Wayne Stenehjem
Agriculture Commissioner Doug Goehring

Also Present: Some attendees are listed on the attendance sheet available in the Commission files
This meeting was open through a call-in number so not all attendees are known
Members of the Press

Governor Burgum called the Industrial Commission meeting to order at approximately 11:00 a.m. and the Commission took up Housing Finance Agency Business.

HOUSING FINANCE AGENCY (HFA)

Mr. Dave Flohr, Interim HFA Executive Director, presented FirstHome (Standard/Start/HomeAccess) and DCA Income Limits for consideration which he noted is looked at annually. These numbers are based on the Department of Housing and Urban Development's (HUD) income limits and the Internal Revenue Service dictates through its revenue procedure what the HFA can do with those numbers.

It was moved by Commissioner Goehring and seconded by Attorney General Stenehjem that the Industrial Commission accept the recommendation of the Housing Finance Agency Advisory Board and approve new Annual Income limits effective for loan reservations under the FirstHome (Standard/Start/HomeAccess) Programs dated on or after May 1, 2020 as stated in Program Directive No. 115.

MAXIMUM ANNUAL INCOME

The following Program Directive will serve as written notice of the applicable "Maximum Annual Income" (as defined in the 1994 Mortgage Purchase Agreement dated as of August 3, 1994) for an Eligible Mortgagor of a Mortgage Loan. These Maximum Annual Income limits are effective for Mortgage Loans in which the Reservation is dated on or after the herein effective date of May 1, 2020.

Maximum Annual Income FirstHome/Start/HomeAccess		
County	Family Size Less than 3	Family Size 3 or More
Stark/Williams	104,300	119,945
Burleigh/Morton/McKenzie	96,000	110,400
Cass	89,400	102,810
Ward	89,300	102,695
Grand Forks	88,400	101,660
All Other Counties	86,900	99,935

And further approve the changes to the DCA Program limits effective for loan reservations dated on or after May 1, 2020 as stated in Exhibit 2.

**DCA PROGRAM
MAXIMUM ANNUAL INCOME**

These Maximum Annual Income limits are effective for DCA assisted FirstHome Loans in which the Reservation is dated on or after the herein effective date of May 1, 2020.

DCA INCOME LIMITS								
5/1/2020								
Family Size*								
COUNTY	1	2	3	4	5	6	7	8
Burleigh	53,800	61,450	69,150	76,800	82,590	89,100	95,250	101,400
Cass	50,050	57,200	64,350	71,500	77,250	82,950	88,700	94,400
Morton	53,800	61,450	69,150	76,800	82,590	89,100	95,250	101,400
Stark	54,950	62,800	70,650	78,500	84,800	91,100	97,350	103,650
Ward	50,050	57,200	64,350	71,500	77,250	82,950	88,700	94,400
Williams	54,950	62,800	70,650	78,500	84,800	91,100	97,350	103,650
All Others	46,850	53,550	60,250	66,900	72,300	77,650	83,000	88,350

*Larger families should check with NDHFA for limits.

On a roll call vote, Governor Burgum, Attorney General Stenehjem, and Commissioner Goehring voted aye. The motion carried unanimously.

Mr. Flohr presented the FirstHome Acquisition Cost Limits for consideration which is also done annually. These proposed limits are based on Federal Home Administration (FHA) loan limits and then are more strictly controlled by the IRS through its revenue procedure. He noted the change in the limits which will decrease by approximately \$3,000 in Williams County and the rest of the State will increase by approximately \$1,100.

It was moved by Commissioner Goehring and seconded by Attorney General Stenehjem that the Industrial Commission accept the recommendation of the Housing Finance Agency Advisory Board and approve the adjustments to the FirstHome Acquisition Limits for the FirstHome Standard, Start, HomeAccess, and DCA Programs as stated in Program Directive 114, effective May 1, 2020.

**Area Limits
(Maximum Acquisition Cost)**

The following Program Directive will serve as written notice of the Area Limits (as defined in the 1994 Mortgage Purchase Agreement dated as of August 3, 1994) for the Acquisition Cost of a Single Family Residence. These Area Limits are effective for Mortgage Loans in which the Reservation is dated on or after the herein effective date.

Previously Occupied

	<u>1 Unit</u>	<u>2 Units</u>	<u>3 Units</u>	<u>4 Units</u>
All Counties	\$294,600	\$377,219	\$455,940	\$566,628

Previously Unoccupied

	<u>1 Unit Only</u>
All Counties	\$294,600

The Agency reserves the right to modify the Area Limits at any time. Rehabilitated structures are considered to be previously occupied even though not originally designed for residential use.

On a roll call vote, Governor Burgum, Attorney General Stenehjem, and Commissioner Goehring voted aye. The motion carried unanimously.

Ms. Jennifer Henderson, HFA, presented the Helping HAND Allocation recommendation for consideration. North Dakota Housing Finance Agency made \$200,000 available for the 2020 Helping HAND program. The program is designed to help Community Action Agencies programs, Tribal Housing Authorities programs, Habitat for Humanity and other nonprofits complete single-family rehab projects. A

total of \$141,600 was allocated for Community Action Agencies (distributed by poverty level amongst seven agencies), \$44,000 for tribal entities, \$12,000 for Habitat chapters, and \$2,400 for three non-profits.

It was moved by Attorney General Stenehjem and seconded by Commissioner Goehring that the Industrial Commission accept the recommendation of the Housing Finance Agency Advisory Board and approve the FY 2020 Helping HAND grants as follows:

Applicant	Community	Amount
Community Action Partnership Regions 1 & 8	Dickinson/Williston Combined	15,479
Community Action Partnership - Minot Region	Minot	20,489
Dakota Prairie Community Action Agency	Devils Lake	15,505
Red River Valley Community Action	Grand Forks	21,441
Southeastern ND Community Action Agency	Fargo	42,709
Community Action Region VI	Jamestown	11,697
Community Action Program Region VII, Inc.	Bismarck	27,080
Subtotal - CA Agencies		\$154,400
Spirit Lake Tribal Housing	Fort Totten	14,666
Trenton Indian Service Area	Trenton	14,666
Turtle Mountain Band of Chippewa	Belcourt	14,666
Subtotal – Tribal Housing		\$ 43,998
Rebuilding Together Fargo/Moorhead Area	Fargo	800
Rebuilding Together Greater Bismarck/Mandan	Mandan	800
Subtotal - Non-Profits		\$ 1,600
Total		\$199,998

On a roll call vote, Governor Burgum, Attorney General Stenehjem, and Commissioner Goehring voted aye. The motion carried unanimously.

Ms. Henderson presented the 2021 Low-Income Housing Tax Credit (LIHTC) Qualified Allocation Plan (QAP) for consideration. HFA forward commits the credit and the 2021 plan is used to define how funds will be allocated in September. A public hearing was held on March 26, 2020. The meeting was held virtually and had more attendees than in prior years. HFA plans to conduct virtual hearings in the future.

There are six significant changes being proposed including:

1. Increase the maximum allowable developer fee for all 4 percent applications to 15 percent. Applications for 9 percent LIHTCs will remain at the 12 percent maximum for projects with 51 or more units and 15 percent for projects with 50 or fewer units.
2. Remove the requirement that projects electing the Income Averaging minimum set-aside to present an equitable distribution of unit types across all income bands.
3. Add property managers to the list of parties that must maintain compliance throughout the agreed upon period. An Applicant, Developer, or Property Manager involved in a project with significant noncompliance may not participate in new LIHTC projects until all issues are resolved.
4. Remove QAP language that allows 100% homeless permanent supportive housing projects to receive up to 30 percent of annual tax credits.

5. Create a new scoring category called Tenant Support Coordinator for projects which commit to supporting tenants with special needs.
6. Reduce the total points available under the Housing for People 55 and Over scoring category from 8 to 6.

It was moved by Attorney General Stenehjem and seconded by Commissioner Goehring that the Industrial Commission accept the recommendation of the Housing Finance Agency Advisory Board and approve the 2021 Low-Income Housing Tax Credit Qualified Allocation Plan as presented. (A copy of the Plan is available in the Commission files. On a roll call vote, Governor Burgum, Attorney General Stenehjem, and Commissioner Goehring voted aye. The motion carried unanimously.

The Housing Finance Agency staff was commended for holding the hearing on the proposed Plan virtually and for planning to do that in the future to allow for more participation.

Ms. Henderson provided a report on the National Housing Trust Fund (HTF) 2020 Request for Proposals and Annual Allocation Plan. It is designed to complement the Federal Low-Income Housing Tax Credit program and is required to be submitted to HUD for approval. The Plan has been completed and a public hearing was held on March 26th. Staff reviewed the changes that were related to the HTF Plan and no comments were received regarding the proposed changes. There was only one substantial change from the LIHTC Program, which prioritizes a 4% tax credit allocation by providing a 10-point bonus over a 9% tax credit allocation. The goal is to incentivize the use of the underutilized resource. The Plan will be submitted to HUD on May 6th, after which HUD has 45 days to review. It will be posted on HFA's website and an application round will open in September.

DEPARTMENT OF MINERAL RESOURCES (DMR)

Mr. Lynn Helms, DMR Director, and Mr. Bruce Hicks, Oil and Gas Division Assistant Director, presented the following order for consideration.

Case 27124, Order 30930 – Petition for reconsideration

The Commission had previously signed Order 30789 on March 9th regarding a complex case with lots of exhibits and a lengthy hearing. The dispute is over an oil and gas operator and nonoperator interests regarding invitations to participate and changes in the well plan. Order 30789 was a compromise between the two parties. Shortly after the Commission signed Order 30789, the Commission received a petition for reconsideration. No action on that Petition is needed if the Commission approves Order 30930. On April 3rd, the two parties reached an agreement that was different from Order 30789. They filed a stipulation stating they had reached an agreement and requested that the Commission's Order 30789 be vacated, and the application dismissed with prejudice. The proposed Order 30930 lays out the issues defined by the Commission in the March 9th Order 30789, the filing of their stipulation for dismissal and vacation of the Order 30789 with prejudice.

It was moved by Commissioner Goehring and seconded by Attorney General Stenehjem that the Industrial Commission, effective April 28, 2020, approves Order 30930 vacating Industrial Commission Order 30789 and dismissing Case 27124 with prejudice.

In response to questions, Mr. Helms indicated that it is extremely rare to dismiss a case with prejudice. It was clarified that this means the case cannot be brought back before the Commission. Mr. Helms stated that he is not concerned that a precedent is being set because the findings have been laid out so that there is

a historical record of what the Commission determined in Order 30789. This will ensure there is a record of the issues and decisions for future use.

Mr. Helms indicated that there is potential for a similar case to come before the Commission. If that would happen, a record review would be possible to understand the issues that were considered in this case and the findings of the Commission.

On a roll call vote, Governor Burgum, Attorney General Stenehjem, and Commissioner Goehring voted aye. The motion carried unanimously.

Mr. Helms indicated that DMR staff would like the opportunity to draft revisions to the Industrial Commission Oil and Gas Division Gas Capture Policy Guidance Version November, 2018, noting that the gas capture guidance was adopted during a time in which the industry was in a period of financial distress. That version was adopted after a historical period of three years of underinvestment in gas capture. The guidance was designed to stimulate construction of gas capture infrastructure and allow production growth which resulted in a considerable amount of gas to be flared during the time period when it was in effect. As a result, a huge amount of infrastructure was built—between \$1.5 and \$2 billion. If the additional pipeline that was built is included the amount is closer to \$4 billion. It is now time to revise this and look forward to the goal that becomes effective on Nov. 1st of 91% gas capture. A considerable amount of feedback has already been received from oil and gas operators and midstream companies. The plan is to hold meetings in July-August so that in September new policies and guidance can be put in place leading to a 91% capture rate. However, it is likely that COVID-19 may impact this process.

Mr. Helms provided some examples of potential revisions, including a policy regarding stranded gas. The current process has not been working very well. It is not possible to develop an administrative definition of stranded gas. Because of this, a hearing process is a possibility to address the issues related to stranded gas. Other areas that need to be addressed include clarification of production restrictions; length of time for initial production testing; phasing out of the capacity curtailment over a period of time; and establishment of an administrative rather than a hearing process resulting in a more timely and streamlined process.

In response to a question, Mr. Helms stated that the amount of shut in production occurring will create a false/positive message in dealing with the gas capture goal. It is important to continue to work on the goal of 91% capture.

It was moved by Commissioner Goehring and seconded by Attorney General Stenehjem that the Industrial Commission direct the Department of Mineral Resources Director to review and draft revisions to the Industrial Commission Oil and Gas Division Gas Capture Policy Guidance Version 112018 for consideration at the regularly scheduled September 2020 Industrial Commission meeting On a roll call vote, Governor Burgum, Attorney General Stenehjem, and Commissioner Goehring voted aye. The motion carried unanimously.

Mr. Hicks presented the Oil and Gas Division quarterly report as of 12/31/2019. (A copy is available in Commission files.) The report included quarterly statistical information from the 4th Quarter of 2018 through the 4th Quarter of 2019; gas flaring; drilling permit review; complaints; and performance measures. Items of significance included:

- The Area of Interest permit category was at 18 permits.
- 207 permits were received in the quarter, down almost 50% over the previous time period in 2018.
- Permits issued were down approximately 30% using the same timeframe.
- The drilling rig count has dropped and is expected to continue to decrease in the next month.

- The number of producing wells is at a record high with 16,109 wells.
- The number of wells waiting on completion remain high, and the number is expected to grow.
- Record levels of oil and gas production were reached for the quarter.
- Gas capture rates reached over 87% in February.
- Prices held steady throughout the year.
- Nearly 40,000 inspections were completed in the fourth quarter.

It is anticipated that the gas oil ratio (GOR) will start rising as many of the wells currently shut in are older wells with a lower GOR. While there was record production, the volume of flared gas declined in the last half of 2019. Many plant capacity projects came online in 2019 but most of the projects planned for 2020-2021 will be delayed.

The amount of drilling along Lake Sakakawea, and Area of Interest, has increased significantly. Almost all pads are new pads as there hasn't been much development in the area and multiple wells are drilled from a pad. Protective measures are stipulated, and an inspector does an onsite review prior to construction of the pad and bringing the wells online.

In response to questions, Mr. Hicks clarified that of the 18 permits received, 13 wells have been permitted in the Areas of Interest. Regarding all permits, the permit is good for one year and can be renewed if appropriate information is submitted. If there is a delay of a year, a change to the plan may be required.

Regarding the report on Complaints, a consent agreement was signed with Energy Equity. There was a fine of nearly \$2 million of which approximately \$300,000 was collected. The remainder has been suspended for two years. The company has plugged all of the wells on the bond.

Lodin LLC, an operator of saltwater disposal wells, had a proposed penalty of \$40,000, of which half was collected. It was the company's first offense and the remainder has been suspended for one year.

There is a new complaint with Missouri Breaks involving a well that is plugged and needs to be reclaimed. The Oil and Gas Division staff is currently working on settlement negotiations.

Regarding performance, approval time for permits has increased over the last few years. If a company is in dire need of a permit, the Division does try to issue the permit the same day. Pending permits have continued to decrease. Underground injection control permits approval time has increased over the last 3-4 years. There was a backlog due to turnover which has been addressed and should improve moving forward.

The number of sales meter tests continues to escalate. However, because the needs for vapor pressure tests have relaxed, Division staff has had more time to witness the sales meters.

Regarding mechanical integrity tests, Mr. Hicks clarified that geologists analyze the cement. Based on the findings, companies are required to do certain modifications. Sometimes the modifications are required immediately, but most of the remedial work can be done after plugging the well. A question was raised regarding whether the Oil and Gas Division has enough resources to make sure the work gets completed. Mr. Hicks responded that as the number of shut in wells increases, more surveillance in the field is needed. Work on carbon sequestration is also occurring and a geologist is needed for that area. Currently, there are only two geologists which is manageable. However, if CO₂ activity increases it is anticipated another FTE will be needed.

Governor Burgum stated that if budget spending is related to COVID-19, it could be reimbursable by the federal government. Mr. Hicks was directed to check with OMB. A number of the 6,000 wells shut in may not come back creating a big need and this could be a potential funding source.

Mr. Hicks presented the 2020 Oil and Gas Division Strategic Plan for consideration.

It was moved by Attorney General Stenehjem and seconded by Commissioner Goehring that the Industrial Commission accept the 2020 Oil and Gas Division Strategic Plan as follows:

MISSION

Encourage and promote the development, production, and utilization of oil and gas in the state in such a manner as will prevent waste, maximize economic recovery, and fully protect the correlative rights of all owners to the end that the landowners, the royalty owners, the producers, and the general public realize the greatest possible good from these vital natural resources.

GOALS

- 1) Give timely hearing, consideration, and processing to all forms and applications.**
- 2) Open communication with the Industrial Commission.**
- 3) Achieve clean audits, high employee morale and professionalism, and efficient use of division employees and assets.**
- 4) Leadership in maintaining good relationships with other state agencies, federal agencies, and the legislature.**
- 5) Service nearly 2500 website subscribers and the data needs of seven state agencies through our current Risked Base Data Management System (RBDMS), NorthSTAR (Statewide Tracking and Reporting System), and web servers.**

1-YEAR

- 1) Provide regular quarterly reports to Industrial Commission members.**
- 2) Collaborate with State agencies, research organizations, UND and the Unmanned Aerial System startups located in North Dakota, and the oil and gas industry to develop policies and procedures for identifying state-of-the-art pipeline monitoring systems and utilizing such systems to reduce the frequency and magnitude of pipeline spills.**
- 3) Implement NorthSTAR Project to develop web-based forms and batch systems utilizing contractors and in-house personnel to implement electronic filing of "most used" Oil and Gas Division forms.**
- 4) Provide computer and job skill training for appropriate agency staff, concentrating on virtual training opportunities through Leadership Everywhere.**
- 5) Review and revise Rules and Regulations as appropriate.**
- 6) Review and recommend revisions to Century Code as appropriate.**
- 7) Podcast DMR information to reach a broader audience.**
- 8) Develop tier-subscription services to provide daily, weekly, and monthly data downloads for the industry.**
- 9) Coordinate with TOPCORP and TrainND to provide training courses for OGD staff in petroleum geology & engineering, petroleum technology, communication, and environmental management.**
- 10) Coordinate and accelerate programs with Oil and Gas Research Council and research facilities in North Dakota to determine best techniques for remediating salt and other contamination from soil surrounding legacy waste pits.**
- 11) Provide funding for North Dakota Department of Health's Environmental Quality Restoration Fund through AWPSRF.**
- 12) Defend State's rights with regard to hydraulic fracturing, chemical disclosure, methane emissions, oil conditioning, and other federal regulatory overreach.**
- 13) Encourage staff and website users to provide recommendations for improving and re-branding DMR website.**
- 14) Upgrade current RBDMS to a web-based platform (NorthSTAR).**

- 15) **Continuously evaluate NorthSTAR system to integrate automatic uploads and decommission hand-inputted data entry practices.**
- 16) **Encourage beneficial use of surplus gas to reduce surplus gas flaring emissions.**
- 17) **Document institutional knowledge of senior employees.**
- 18) **Work with industry to provide adequate assurance that uneconomic wells will not be abandoned and a liability to the State of North Dakota.**
- 19) **Continue to collaborate with Information Technology Division to enhance systems and telecommuting efficiency, while maintaining cybersecurity standards.**

3-YEAR

- 1) **Provide regular quarterly reports to Industrial Commission members.**
- 2) **Provide additional training and professional development opportunities for entire agency staff.**
- 3) **Continue scanning new case and well files.**
- 4) **Increase field inspection and support staffing.**
- 5) **Review and revise Rules and Regulations as appropriate.**
- 6) **Review and recommend revisions to Century Code as appropriate.**
- 7) **Continue with NorthSTAR Project developing web-based forms and batch systems for electronic filing of remaining Oil and Gas Division forms.**
- 8) **Upgrade drone system and software to automate drone runs with intelligent cameras and obtain effective data collection beyond visual line of sight.**
- 9) **Set up procedure for carbon dioxide administration.**
- 10) **Provide video conferencing and streaming of expert testimony at hearings. Explore live video streaming solutions utilizing credible low-cost commercial vendors.**

5-YEAR

- 1) **Provide regular quarterly reports to Industrial Commission members.**
- 2) **Continue scanning new case and well files.**
- 3) **Provide training and professional development opportunities for entire staff including tuition reimbursement.**
- 4) **Review and revise Rules and Regulations as appropriate.**
- 5) **Review and recommend revisions to Century Code as appropriate.**

On a roll call vote, Governor Burgum, Attorney General Stenehjem, and Commissioner Goehring voted aye. The motion carried unanimously.

Mr. Helms reported that the date of the hearing for Case No. 28471 has been set for May 20, 2020. This hearing was requested by the Industrial Commission in order to receive feedback regarding waste. The procedure for the hearing will be posted online today and will be held virtually. Specific items on which feedback is being requested will be posted as well and does not need to be limited to waste. Attorney General Stenehjem clarified that other feedback is also welcome. Mr. Helms responded that the notice has been written broadly to include additional information, including:

- **Market price, production costs, and post-production costs that result in economic waste of North Dakota crude oil.**
- **Volatility of North Dakota crude oil price.**
- **Crude oil price differential projections.**
- **Hedged crude oil production and challenges of getting to market.**
- **Oversupply and reduced demand of North Dakota crude oil.**
- **Storage capacity for North Dakota crude oil.**
- **North Dakota refinery crude oil demand.**

- Implications of temporary crude oil storage.
- Prevention of waste of North Dakota crude oil.
- Protection of correlative rights and jeopardized title to leasehold.
- Impacts on royalty owners when crude oil price reaches a negative value.
- Processes and challenges of curtailing or shutting in crude oil production from North Dakota wells.
- Processes and challenges of protecting the environment, health and safety of the public when curtailing production or shutting in crude oil production from North Dakota wells.
- Impacts on continuation of business for the entities that service curtailed or shut in North Dakota oil wells.
- Impacts on continuation of business for the entities that provide transportation, storage, marketing, and refining of North Dakota crude oil.
- Impacts on continued employment of North Dakota operator's staff.

PIPELINE AUTHORITY

Mr. Justin Kringstad, Pipeline Authority Director, presented an Industrial Commission Update. (*A copy is available in Commission files.*) He stated the goal of this report is to present an updated oil and natural gas production forecast for the State. His report noted the following:

- Major Uncertainty Has Never Been Higher – Unprecedented new reality shaping decisions of government, industry, and citizens at the global level -- COVID-19 has played a large role in the increase of market uncertainty.
- Major New Consideration (“New Normal”; OPEC+, G20, States; Pricing on the Global, Domestic and Wellhead levels; Producer Reactions – Completions, Curtailments, DUC Wells; Individual Well Production Rates – EUR’s and GOR’s
- Statewide Well Performance - Production by wells decreases over time. This, when combined with a decrease of completed wells, can lead to a drastic reduction in overall oil production. Natural gas production is anticipated to reduce on a smaller level than oil.
- Bakken Oil and Gas Production by IP Year was shown on two graphs.
- Holding Oil Constant (No Shut-Ins, Weather, Etc.) The number of well completions needed to maintain oil production is estimated to be 80 wells per month.
- April 2020 Future Curves – curves have been flattening.

Two oil and gas production models were discussed, utilizing information from EIA and NYMEX futures. The EIA data reflects a more optimistic recovery than NYMEX data, which reflects a severe decrease in well completions May – June and a high number of shut-in wells. The presentation included the forecasts through graphics.

It was noted that COVID-19 does not change the reservoir of the Bakken/Three Forks resources. While the near-term outlook is projected to be slow, it will not impact the long term.

The Commission thanked Mr. Kringstad for the in-depth analysis and the excellent infographics. This information is valuable when doing forecasts for the budgeting process.

It was noted that, due to time constraints, the executive session to discuss Case No. 05-2019-cv-00085/Northwest Landowners Association vs. State of North Dakota, et al. would be postponed until the April 30th meeting.

ADMINISTRATION

Attorney General Stenehjem stated that Mr. Helms and Mr. Kringstad have been asked to provide declarations regarding the Dakota Access Pipeline litigation, which has been ongoing for 4 years. The Judge required that the matter go back to the Army Corps of Engineers for further consideration of some matters relating to the environmental impact statement. The question before the Court right now is whether to vacate the permit that has been allowing oil to flow through the Dakota Access Pipeline. There are two factors to consider – 1) What are the deficiencies in the environmental impact statement and are they serious enough to warrant revoking the permit? – this issue is for the Corps of Engineers; 2) What are the consequences and disruptions that would be caused if the Judge should vacate the permit? In response to the second issue, Mr. Helms and Mr. Kringstad have been asked to provide information on the consequences of the permit being vacated. Declarations are also being provided by the Tax Commissioner and the Director of the Office of Management and Budget. It would be disastrous for North Dakota if the oil produced in North Dakota could not be sent out of state via the pipeline.

It was moved by Commissioner Goehring and seconded by Attorney General Stenehjem that the Industrial Commission authorizes Lynn Helms, Department of Mineral Resources Director, and/or Justin Kringstad, North Dakota Pipeline Authority Director, to provide declarations in support of certain litigation. On a roll call vote, Governor Burgum, Attorney General Stenehjem, and Commissioner Goehring voted aye. The motion carried unanimously.

The March 9, March 24 and April 21, 2020 Industrial Commission non-confidential meeting minutes were presented for consideration.

It was moved by Commissioner Goehring and seconded by Attorney General Stenehjem that the March 9, March 24, and April 21, 2020 Industrial Commission non-confidential meeting minutes be approved. On a roll call vote, Governor Burgum, Attorney General Stenehjem, and Commissioner Goehring voted aye. The motion carried unanimously.

With no further Industrial Commission business, Governor Burgum adjourned the meeting at 12:13 p.m.

North Dakota Industrial Commission



Karlene Fine, Executive Director and Secretary