

Minutes of a Meeting of the Industrial Commission of North Dakota

Held on July 30<sup>th</sup>, 2024 beginning at 1:00 p.m.

Governor's Conference Room – State Capitol

Present: Governor Doug Burgum, Chairman  
Attorney General Drew H. Wrigley  
Agriculture Commissioner Doug Goehring

Also Present: This meeting was open through Microsoft Teams so not all attendees are known.  
Agency representatives joined various portions of the meeting.

Governor Burgum called the meeting of the Industrial Commission to order at approximately 1:10 p.m.

Ms. Karen Tyler took roll call, and Governor Burgum, Commissioner Goehring, and Attorney General Wrigley were present.

Governor Burgum invited the room to stand and join the Commission in saying the Pledge of Allegiance.

**DEPARTMENT OF MINERAL RESOURCES DIRECTOR FINALIST INTERVIEWS**

Mr. Reice Haase presented the DMR Director Search Committee Report and explained the process that the committee went through to get to the finalists that are being interviewed today.

The following individuals were voting members on the committee:

- Reice Haase, North Dakota Industrial Commission
- Tom Bodine, North Dakota Agriculture Commissioner's Office
- Claire Ness, North Dakota Attorney General's Office
- Jace Beehler, North Dakota Governor's Office Chief of Staff
- Justin Kringstad, North Dakota Pipeline Authority
- Preston Page, Oil and Gas Research Council
- Zac Weis, Oil and Gas Research Council

Governor Burgum reminded the Commission members that there are recommended/guideline questions to ask the candidates, but they do not have to solely stick to those questions.

The first interview with Nathan Anderson began at approximately 1:15 p.m.

The interview concluded at approximately 2:25 p.m. and the Commission took a break until 2:35 p.m.

The second interview with Kevin Connors began at approximately 2:38 p.m.

The second interview concluded at approximately 3:40 p.m. and the Commission took a break until 4:00 p.m.

The Commission members held a discussion regarding the two final candidates. Governor Burgum stated that he needs more information and does not feel the Commission can confidently make a decision today without having the knowledge of the current state of Department of Mineral Resources

and what their needs are for a Director. It was requested there be a special Industrial Commission meeting in the next 7-14 days to discuss the candidates further and come to a consensus on the naming a new Director at that time.

**It was moved by Attorney General Wrigley and seconded by Commissioner Goehring that the Industrial Commission reconvene in 7-14 days to discuss the two final candidates further and come to a consensus on naming a new Director at that time.**

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

The Commission members shared their gratitude for all candidates that took the time to apply to such an important position for the State of North Dakota. Governor Burgum specifically shared his gratitude to the two finalists for their willingness and courage to continue through this process.

#### **DEPARTMENT OF MINERAL RESOURCES**

Mr. Mark Bohrer gave a presentation of the Oil and Gas Division Quarterly Report. There were 360 permit applications received in Q1 2024. The rig count was 39 for the quarter and 18,772 wells producing. The production was at 1,194,872 barrels of oil per day and the North Dakota avg \$/barrel was \$69.78.

Mr. Reice Haase presented for consideration of approval the authority to contract with Dr. Lynn Helms for professional consulting services. Dr. Helms would be there to assist with advising staff on administrative case load, execute orders, providing recommendations to open administrative cases, and other duties as requested by staff.

**It was moved by Commissioner Goehring and seconded by Attorney General Wrigley that the Industrial Commission authorizes the Department of Mineral Resources to contract with Dr. Lynn Helms for professional consulting services, at a minimum through the start date of the next Director.**

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

#### **NORTH DAKOTA INSURANCE RESERVE FUND**

Mr. Keith Pic presented for consideration of approval reinsurance policy recommendations for the Excess Loss Reinsurance Coverage – Fire and Tornado Fund.

The memo reads as follows:

“The State Fire and Tornado Fund (“Fund”) provides property insurance coverage to 1,174 state agencies and local governments and protects \$22.8 billion of total insured value (“TIV”) as of July 18, 2024. The North Dakota Insurance Reserve Fund (“NDIRF”) administers the Fund through a contract with the North Dakota Insurance Department. The contract has been in place since June 2019. The NDIRF is a member-owned nonprofit corporation that provides liability, automobile, and equipment coverage to North Dakota local governments.

Under the NDIRF’s administration, the Fund’s TIV has grown by over \$8 billion. The increase in TIV represents the NDIRF’s commitment to collecting updated property values and adding missing property

to property schedules. These tasks, which NDIRF employees perform, ensure that state and local government property, and ultimately North Dakota taxpayers, are protected if a partial or total loss occurs.

Due to term changes made in 2022 by Travelers in regard to NDSU's heating plant and UND's EERC buildings, NDIRF staff sought alternative reinsurance options in preparation for the Fund's 2023 renewal. The Fund's reinsurance structure in 2023 was changed to a shared and layered program. The main benefit of this structure is that all the Fund's properties are covered under the same program, reducing pricing and administrative costs.

Currently, the Fund has excess loss reinsurance for claims over \$2 million up to \$250 million through a shared and layered program. The reinsurance deposit premium paid was approximately \$7.5 million based on over \$21.5 billion of property values as of August 1, 2023, which translates to a rate of .0351 per \$100 of insured value.

N.D. Cent. Code § 26.1-22-21 requires the Insurance Commissioner to procure excess loss reinsurance with the approval of the Industrial Commission. The Fund's current excess loss reinsurance treaty expires at midnight on July 31, 2024.

### **2024 Reinsurance Quotes**

NDIRF staff through a reinsurance broker was able to continue the shared and layered structure that includes multiple reinsurance companies taking different portions of a \$250 million limit above a \$2 million retention per occurrence at a rate of .0349 per \$100 of TIV. Based on a TIV of \$22,380,238,517, the deposit premium for this structure is \$7,813,294. As it was last year, the structure was heavily oversubscribed, which resulted in favorable terms and a reduction of the overall rate.

Travelers indicated that it would not quote the full program or take a share of the program without modifying the coverage terms.

### **Recommendation**

It is recommended that the Fund accept the proposed shared and layered structure. This structure will guarantee that all Fund property is reinsured, providing long-term stability and greater control over the program's terms. The terms offered in the 2024-2025 shared and layered structure are the same as the current program and follow the Fund's forms.

The recommended shared and layered reinsurance structure is common for large commercial enterprises seeking insurance and reinsurance. If the Fund follows this recommendation, 2024-2025 would mark the second time the Fund has taken this approach to meet its reinsurance requirements. Century Code specifies that insurance is purchased from "authorized" insurance companies, but the Century Code does not specify whether non-admitted companies qualify as "authorized" companies. However, this same section of the century code, N.D.C.C. § 26.1-22-21, provides a general exception that, among other things, authorizes the Commissioner and the Industrial Commission to disregard the authorized insurance company requirement with the approval of the Industrial Commission.

Excess loss reinsurance continues to impact the Fund significantly, but this coverage is essential for proper claims management and the Fund's long-term financial strength and stability. The Fund's TIV has

increased by over \$8 billion in the past five years and will continue to grow due to the continued work of NDIRF staff, new construction, and increased material and labor costs. In addition, the State's concentration of property at various locations, including its Capitol complex and 11 university and college campuses, requires the Fund to have adequate excess loss reinsurance to recover from a catastrophic event."

**It was moved by Commissioner Goehring and seconded by Attorney General Wrigley that the Industrial Commission accept the recommendation of the North Dakota Insurance Commissioner regarding the Excess Loss Reinsurance Coverage for property coverage provided by the Fire and Tornado Fund, and approve the proposal for a shared and layered program policy with participation of the insurers as presented, which will provide reinsurance coverage of \$250,000,000 with a \$2,000,000 deductible per occurrence on Total Insured Value of \$22,380,238,517 with a total policy premium of \$7,811,220.**

This motion acknowledges that the Century Code specifies that insurance must be purchased from "authorized" insurance companies, and further acknowledges that the Century Code does not specify whether non-admitted companies qualify as "authorized" companies. However, this same section of the century code, N.D.C.C. § 26.1-22-21, provides a general exception that, among other things, authorizes the Commissioner and the Industrial Commission to disregard the authorized insurance company requirement with the approval of the Industrial Commission, and such approval is herein recommended under this motion.

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

#### **NORTH DAKOTA PUBLIC FINANCE AUTHORITY**

Ms. DeAnn Ament presented for consideration of approval the following loan applications:

**i. McLean Sheridan Rural Water District – Drinking Water - \$8,159,000**

The purpose of this project is to add a second treatment train which will double the plant treatment capacity. The project will also upgrade nearly all the process pipe, electrical components and instrumentation and controls systems within the plant which are nearing the end of their useful life. New larger office and garage space to support additional staff will also be constructed. The requested term for the loan is 30 years, and the District will issue revenue bonds payable with water user fees. The average annual payment for the revenue bonds will be \$41,002.

**It was moved by Commissioner Goehring and seconded by Attorney General Wrigley that the Industrial Commission approve the Drinking Water State Revolving Fund loan request for \$8,159,000 for the McLean Sheridan Rural Water District.**

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

## A RESOLUTION WAS MADE

### RESOLUTION APPROVING LOAN FROM DRINKING WATER STATE REVOLVING FUND

WHEREAS, the Industrial Commission has heretofore authorized the creation of a Drinking Water State Revolving Fund Program (the "Program") pursuant to N.D.C.C. chs. 6-09.4, 61-28.1, and 61-28.2; and

WHEREAS, the State Revolving Fund is governed in part by the Master Trust Indenture dated as of July 1, 2011 (the "Indenture"), between the North Dakota Public Finance Authority (the "NDPFA") and the Bank of North Dakota (the "Trustee"); and

WHEREAS, McLean Sheridan Rural Water District (the "Political Subdivision") has requested a loan in the amount of \$8,159,000 from the Program to add a second treatment train to double the plant treatment capacity, upgrade nearly all the process pipe, electrical components, and the instrumentation and controls system within the plant, and construct larger office and garage space to support additional staff; and

WHEREAS, NDPFA's Advisory Committee is recommending approval of the Loan; and

WHEREAS, there has been presented to this Commission a form of Loan Agreement proposed to be adopted by the Political Subdivision and entered into with the NDPFA;

NOW, THEREFORE, BE IT RESOLVED by the Industrial Commission of North Dakota as follows:

1. The Loan is hereby approved, as recommended by the Advisory Committee.
2. The form of Loan Agreement to be entered into with the Political Subdivision is hereby approved in substantially the form on file and the Executive Director is hereby authorized to execute the same with all such changes and revisions therein as the Executive Director shall approve.
3. The Executive Director is authorized to fund the Loan from funds on hand in the Drinking Water Loan Fund established under the Indenture upon receipt of the Municipal Securities described in the Political Subdivisions bond resolution, to submit to the Trustee a NDPFA Request pursuant to the Indenture, and to make such other determinations as are required under the Indenture.
4. The Commission declares its intent pursuant to Treasury Regulations '1.150-2 that any Loan funds advanced from the Federally Capitalized Loan Account shall be reimbursed from the proceeds of bonds issued by the NDPFA under the Indenture.

Adopted: July 30, 2024

#### ii. **Dickinson – Clean Water - \$3,539,000**

The purpose of this project is to extend the sidewall of Cell 3-B 4 and develop Cell 3-B 5 to accept municipal waste from 26 communities in a 10-county area. The stormwater holding pond will be eliminated with this expansion. The requested term for the loan is 20 years, and the City will issue

revenue bonds payable with solid waste utility fee revenue and 50% of the 1% city sales tax dedicated to infrastructure. The average annual payment for the revenue bonds will be \$146,234.

**It was moved by Commissioner Goehring and seconded by Attorney General Wrigley that the Industrial Commission approve the Clean Water State Revolving Fund loan request for \$3,539,000 for the City of Dickinson.**

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

**A RESOLUTION WAS MADE**

RESOLUTION APPROVING  
LOAN FROM CLEAN WATER STATE REVOLVING FUND

WHEREAS, the Industrial Commission has heretofore authorized the creation of a Clean Water State Revolving Fund Program (the "Program") pursuant to N.D.C.C. chs. 6-09.4 and 61-28.2; and

WHEREAS, the Clean Water State Revolving Fund is governed in part by the Master Trust Indenture dated as of July 1, 2011 (the "Indenture"), between the North Dakota Public Finance Authority (NDPFA) and the Bank of North Dakota (the Trustee); and

WHEREAS, the City of Dickinson (the "Political Subdivision") has requested a loan in the amount of \$3,539,000 from the Program to extend the sidewall of cell 3-B 4 and develop cell 3-B 5 to accept municipal waste from 26 communities in a 10-county area to replace the stormwater holding pond; and

WHEREAS, the NDPFA's Advisory Committee is recommending approval of the Loan; and

WHEREAS, there has been presented to this Commission a form of Loan Agreement proposed to be adopted by the Political Subdivision and entered into with the NDPFA;

NOW, THEREFORE, BE IT RESOLVED by the Industrial Commission of North Dakota as follows:

1. The Loan is hereby approved, as recommended by the Advisory Committee.
2. The form of Loan Agreement to be entered into with the Political Subdivision is hereby approved in substantially the form on file and the Executive Director is hereby authorized to execute the same with all such changes and revisions therein as the Executive Director shall approve.
3. The Executive Director is authorized to fund the Loan from funds on hand in the Clean Water Loan Fund established under the Indenture upon receipt of the Municipal Securities described in the Political Subdivisions bond resolution, to submit to the Trustee a NDPFA Request pursuant to the Indenture, and to make such other determinations as are required under the Indenture.
4. The Commission declares its intent pursuant to Treasury Regulations '1.150-2 that any Loan funds advanced from the Federally Capitalized Loan Account shall be reimbursed from the proceeds of bonds issued by the NDPFA under the Indenture.

Adopted: July 30, 2024

Ms. Ament gave a presentation of a memo of State Revolving Fund loans approved by the Advisory Committee:

i. Richardton – Clean Water - \$500,000

The purpose of this project is to construct a new lift station at a better location with a facility which will lower future maintenance costs and increase efficiency by adding easier access. Also, safety will be enhanced by adding fencing around the site. The requested loan term is for 20 years, and the City will issue revenue bonds payable with sewer user fees. The average annual payment for the revenue bonds will be \$29,225.

ii. Rhame – Drinking Water - \$1,199,000

The purpose of this project is to replace aging asbestos cement pipe water main which has needed extensive repairs over the years with PVC water main on the north side of the railroad tracks. Also, replace the existing water meters with new digital meters which will require less repairs and make it easier to detect and locate leaks. The requested loan term is for 30 years, and the City will issue improvement bonds payable with special assessments. The average annual payment for the improvement bonds will be \$50,043.

iii. St. John – Drinking Water - \$365,000 increase to previously approved \$920,000

The purpose of this project is to replace the existing 50,000-gallon water tank with a new 100,000-gallon tank to meet storage requirements. The new storage will serve the new middle and high schools which have attracted students from all over the area and enrollment continues to grow. The requested loan term is for 30 years, and the City will issue revenue bonds payable with sewer fees. The average annual payment for the revenue bonds will be \$53,591.

iv. Taylor – Drinking Water - \$628,000

The purpose of this project is to replace undersized water main that does not meet standards with a 6" water main to help areas of town experiencing low water pressure. The requested loan term is for 30 years, and the City will issue improvement bonds payable with special assessments. The average annual payment for the improvement bonds will be \$27,305.

v. Milnor – Drinking Water - \$300,000

The purpose of this project is to update and incorporate the existing supervisory control system for the lift stations into the water control system, update the light fixtures, and electric system in the pumping station. The requested loan term is for 20 years, and the City will issue revenue bonds payable with water user fees. The average annual payment for the revenue bonds will be \$17,596.

## LEGAL UPDATE

### A. Litigation Status:

- a. Northwest Landowners v. NDIC – argument on summary judgement motions was on June 28<sup>th</sup>. Waiting on judge's decision – will likely be appealed to Supreme Court

- b. BLM Venting and Flaring Rule – waiting on the decision on the preliminary judgement made in June
  - c. BLM Conservation Rule – filed complaint on June 21<sup>st</sup>. Feds moved to try and move the case out of North Dakota and into Utah.
  - d. Council of Environmental Quality NEPA Phase II Rule – 21 states are challenging. North Dakota and Iowa are leading
  - e. EPA Mercury and Air Toxics Rule – North Dakota is leading 22 other states. Filed our reply yesterday
  - f. EPA Carbon Rule – 27 states are challenging. We submitted an emergency application to the Supreme Court – West Virginia is leading
  - g. EPA Methane/OOOO Rule – 25 states are challenging, lead by Oklahoma and Texas. DCA denied the stay motion.
- B. Federal Regulatory Update:
- a. BLM Resource Management Plan – no updates
  - b. DAPL Draft Environmental Impact Statement – extended timeline to 2026
  - c. EPA Methane Tax Rule – no updates

**It was moved by Attorney General Wrigley and seconded by Commissioner Goehring that under the authority of North Dakota Century Code Sections 6-09-35, 44-04-18.4, 44-04-19.1, 44-04-19.2, the Industrial Commission enter into executive session for the purposes Pipeline Authority and Bank of North Dakota confidential business and attorney consultation.**

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

**The Commission is meeting in executive session regarding Pipeline Authority confidential business pursuant to N.D.C.C. 44-04-18.4 to consider those items listed on the agenda. Only Commission members, their staff, Commission staff, Pipeline Authority staff and potential contract parties will participate in that executive session.**

**After the Pipeline Authority executive session, the Commission will meet in executive session regarding Bank of North Dakota confidential business pursuant to N.D.C.C. 6-09-35 and 44-04-19.1 to consider those items listed on the agenda under Bank of North Dakota confidential business. Only Commission members, their staff, Commission staff, DFI Commissioner and staff, and BND staff will participate in that executive session. The Commission received approval from their Attorney to allow BND staff present to sit in on the North Dakota Pipeline Authority's Executive Session per request due to a potential partnership.**

**Any formal action taken by the Commission will occur after it reconvenes in open session.**

**Governor Burgum reminded the Commission members and those present in the executive session that the discussions must be limited to the announced purposes which is anticipated to last approximately 1 hour and 30 minutes.**

**The executive session began at approximately 5:08 p.m.**

**Meeting Closed to the Public for Executive Session Pursuant to NDCC 6-09-35, 44-04-18.4, 44-04-19.1 and 44-04-19.2.**

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**NORTH DAKOTA PIPELINE AUTHORITY EXECUTIVE SESSION**

**Industrial Commission Members Present**

Governor Doug Burgum  
Attorney General Drew H. Wrigley  
Agriculture Commissioner Doug Goehring

**Pipeline Authority Members Present**

Justin Kringstad

Others in attendance

Nicole Kivisto	MDU Resources
Rob Johnson	WBI Energy
Mark Anderson	WBI Energy
Don Morgan	BND
Kelvin Hullet	BND
Kylee Merkel	BND
Rob Pfennig	BND
Craig Hanson	BND
Kirby Evanger	BND
Nathan Svihovec	Governor's Office
Zach Greenberg	Governor's Office
Karen Tyler	Industrial Commission Office
Reice Haase	Industrial Commission Office
Brenna Jessen	Industrial Commission Office
Erin Stieg	Industrial Commission Office

**BANK OF NORTH DAKOTA EXECUTIVE SESSION**

**Industrial Commission Members Present**

Governor Doug Burgum  
Attorney General Drew H. Wrigley  
Agriculture Commissioner Doug Goehring

**BND Members Present**

Don Morgan, BND  
Kelvin Hullet, BND  
Kirby Evanger, BND  
Rob Pfennig, BND  
Craig Hanson, BND

Others in attendance

Lise Kruse	Dept. of Financial Institutions
Corey Krebs	Dept. of Financial Institutions
Ryan Spah	Dept. of Financial Institutions

Tracey Kennedy	Zimney Foster P.C.
Ryan Ames	Zimney Foster P.C.
Nathan Svihovec	Governor's Office
Zach Greenberg	Governor's Office
Jace Beehler	Governor's Office
Karen Tyler	Industrial Commission Office
Reice Haase	Industrial Commission Office
Brenna Jessen	Industrial Commission Office
Erin Stieg	Industrial Commission Office

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The executive session ended at approximately 7:15 p.m. and the Commission reconvened in open session.

During the Pipeline Authority executive session, the Commission discussed confidential business related to the Pipeline Authority's capacity purchase program.

During the Bank of North Dakota executive session, the Commission discussed those items listed on the agenda under Bank of North Dakota confidential business.

No formal action was taken during either executive session.

#### **STATE ENERGY RESEARCH CENTER**

Mr. Haase presented for consideration of approval the authority to contract under SERC-2019-01 Task 2: "Expanding and Future-Proofing North Dakota's Electric Grid in an Evolving Energy Landscape".

During the 2023-2025 biennium, \$750,000 is available for the Commission to contract for on-demand studies under Contract SERC 2019-01 Task 2 – Provide Prompt Expertise for North Dakota. To date, the Commission has approved \$222,000 under the current biennium's contract:

- \$135,000 for a CO2 Enhanced Oil Recovery Incremental Oil Production Forecast
- \$87,000 for updates to the North Dakota Grid Resiliency Plan

This leaves **\$528,000** remaining for the 2023-2025 biennium.

At the request of the North Dakota Transmission Authority (NDTA), the Energy & Environmental Research Center (EERC) proposes to develop, in coordination with the NDTA, electric utilities, and regulatory stakeholders, an analytical framework for supporting near-to-long-term planning and decision-making around key issues facing North Dakota's electricity sector. Key issues that will be investigated include the rapid growth of electric demand, particularly the growth in demand from data centers, impacts of a changing resource mix, new policies and regulations affecting coal-based electricity generation, increasing penetration of renewable sources, lead times for transmission infrastructure build-out, and load growth on resource adequacy and electricity reliability within the state, as well as the regional grid.

**It was moved by Commissioner Goehring and seconded by Attorney General Wrigley that the Industrial Commission authorizes \$528,000 from Contract SERC 2019-01 Task 2 – Provide Prompt**

**Expertise for North Dakota for the purpose of completing the deliverables for “Expanding and Future-Proofing North Dakota’s Electric Grid in an Evolving Energy Landscape”.**

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

#### **OIL AND GAS RESEARCH PROGRAM**

Mr. Haase gave a presentation of the Oil and Gas Research Program Project Management and Financial Report. There have been 116 cumulative projects that have gone through this program and currently 14 of those are active. There has been a total of \$93.2 million granted through the Oil and Gas Research program and \$530.5 million in project value to the State. The current cash balance of the fund is \$27,540,577.33 and there is \$6,353,346.49 available for funding.

Mr. Haase presented for consideration of approval Application G-060-A: “Well Site Thief Hatch Methane Detectors – Phase II”, Submitted by Blue Comply, Total Project Costs: \$900,000, Request for \$450,000.

**It was moved by Commissioner Goehring and seconded by Attorney General Wrigley that the Industrial Commission accepts the recommendation of the Oil and Gas Research Council, approves application G-060-A: “Well Site Thief Hatch Methane Detectors – Phase II”, and authorizes the Office of the Industrial Commission to execute a contract in the amount of \$450,000.**

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

#### **OFFICE OF THE INDUSTRIAL COMMISSION**

Ms. Karen Tyler presented for consideration of approval the June 26, 2024 Industrial Commission Meeting Minutes.

**It was moved by Commissioner Goehring and seconded by Attorney General Wrigley that the June 26, 2024 Industrial Commission meeting minutes be approved.**

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

Ms. Tyler presented for consideration of approval of 4% legislative salary increases for agency directors – Public Finance Authority, Housing Finance Authority, and North Dakota Mill.

The Memo reads as follows:

“Senate Bill 2015 adopted by the 2023 Legislative Assembly states in part:

The 2023-25 biennium compensation adjustments for permanent state employees are to average 6 percent per eligible employee for the first fiscal year of the biennium **and are to average 4 percent per eligible employee for the second year of the biennium.** The increases for the first year of the biennium are to be given beginning with the month of July 2023, to be paid in August 2023, **and for the second year of the biennium are to be given beginning with the month of July 2024, to be paid in August 2024.** Increases for eligible state employees are to be based on documented performance and are not to be the same percentage increase for each employee.

The Industrial Commission Agency Directors continue to lead with excellence and a dedicated commitment to serving North Dakota citizens and businesses and supporting the Industrial Commission in executing on its vast portfolio of responsibilities. I am recommending the following salary increases effective July 1, 2023:

<u>Current</u>	<u>4%</u>	<u>New</u>		
DeAnn Ament	136,213	5,448	141,661	
Dave Flohr	162,912	6,516	169,428	
Vance Taylor	379,881	15,195	395,076 "	

**It was moved by Commissioner Goehring and seconded by Attorney General Wrigley that the Industrial Commission approve the 4% salary increases for Industrial Commission executives as approved by the Legislature for the second fiscal year of the 2023-2025 biennium, and as recommended by the Interim Executive Director.**

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

Being no further business, Governor Burgum adjourned the meeting of the Industrial Commission at 7:28 p.m.

North Dakota Industrial Commission



Brenna Jessen, Recording Secretary



Reice Haase, Deputy Executive Director



Karen Tyler, Interim Executive Director